



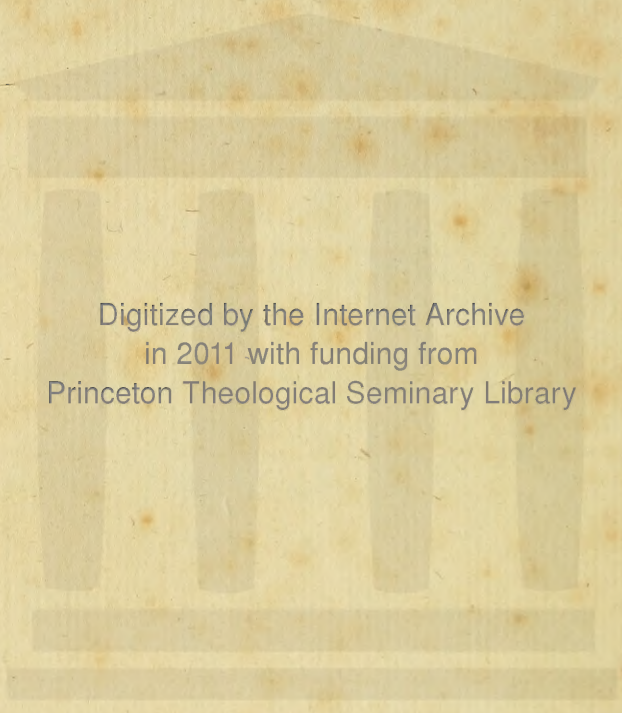
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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N ,

FROM THE  
FIRST INVASION OF IT BY THE ROMANS  
UNDER JULIUS CÆSAR.

WRITTEN ON A NEW PLAN.

✓  
By ROBERT HENRY, D.D.

ONE OF THE MINISTERS OF EDINBURGH, MEMBER OF THE  
SOCIETY OF ANTIQUARIANS OF SCOTLAND, AND OF  
THE ROYAL SOCIETY OF EDINBURGH.

THE SECOND EDITION.

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VOLUME THE FOURTH.

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MDCCLXXXIX.



THE HISTORY OF

THE GREAT BRITAIN

BY ROBERT HENRY

THE SECOND EDITION

PRINTED BY J. JOHNSON

PRINTED FOR J. JOHNSON

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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N .

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B O O K IV.

C H A P. I.

*The civil and military history of Great Britain, from the death of king John A. D. 1216, to the accession of Henry IV. A. D. 1399.*

S E C T I O N I.

*From the death of king John, A. D. 1216, to the death of Henry III. A. D. 1272.*

**T**HE death of king John was very seasonable, and A. D. 1216. saved both his family and his country from the ruin with which they were threatened, by the confederacy of the revolted barons of England with prince Lewis of France. Death of king John seasonable.

William, marshal of England, and earl of Pembroke, the chief support and ornament of the royal cause, conducted young Henry, eldest son of the late king, to Gloucester, where he had called a meeting of the nobles; and placing the infant prince (then only in his tenth year) in the midst of the assembly, he addressed them in a speech, at once so full of wisdom, loyalty, and patriotism, that it gained every heart. All the barons and clergy who

**A. D. 1216.** were present, acknowledged Henry for their lawful king, and proceeded to his coronation on the 28th of October (1). In another assembly of the barons, at Bristol, on the 11th of November, the earl of Pembroke was unanimously chosen protector of the kingdom; a trust which he had well deserved, and which he discharged with the greatest honour, wisdom and success (2).

**Popular measures of the protector.**

One of the first acts of the protector's administration was to renew the great charter of liberties, the darling object on which the English had set their hearts; a wise measure, which brought great popularity to the royal cause (3). At the same time he wrote letters to all the discontented barons, earnestly intreating them to submit to the government of young Henry, against whom they could have no complaint, solemnly promising them indemnity for all past offences, and all possible security for the future enjoyment of their liberties, honours, and estates (4). These letters produced a great effect. Several powerful barons, as the earls of Salisbury, Arundel, and Warrene, with the protector's eldest son, deserted Lewis, and came over to Henry; and many others waited only for a convenient opportunity to follow their example (5).

**A. D. 1217.**  
**Military transactions.**

While these things were doing in the cabinet, the war was going on in the field with various success; but without any decisive action. Lewis failed in all his attempts upon Dover, through the incorruptible fidelity and invincible resolution of Hubert de Burgh, its heroic governor (6). In the beginning of the year 1217, Lewis received a considerable reinforcement from France, which, together with the citizens of London (who still warmly espoused his cause against their native prince), enabled him for some time to maintain the dispute. At length, on the 19th May, A. D. 1217, a decisive battle was fought in the streets of Lincoln, in which the army of prince Lewis was entirely defeated, the earl of Perche, his commander in chief, was killed, and many of the English barons of that party were taken prisoners (7). On

(1) M. Paris, p. 200. Heming. l. 3. c. 1.

(2) M. Paris, p. 200. Chron. Petriburgen. Trist. p. 168.

(3) Blackstone's Introduction to the great charter, p. 23.

(4) Rymour, vol. i. p. 215, 216. Brady's Append. No. 143.

(5) M. Paris, p. 202.

(6) Id. p. 200.

(7) Id. p. 204. Chron. Dunelm. p. 81.



the news of this defeat, prince Lewis, who was then besieging Dover, hastened to London; but some reinforcements which he expected being destroyed by the English fleet, and the royal army approaching, he entered into a negotiation with the protector, which soon terminated in a peace (8). By this peace, Lewis, having stipulated for a full indemnity to the English of his party, renounced his pretensions to the crown of England; and soon after departed with all his forces into France. In this manner, by the courage, wisdom, and moderation of the protector, the flames of a destructive civil war were happily extinguished, and young Henry was seated in peace on the throne of his ancestors.

A.D. 1217  
Peace between Henry and prince Lewis.

After the departure of the French, the protector faithfully performed every article of the treaty with the English barons, by putting them in full possession of their estates and honours (9). He sent itinerant judges into all parts of the kingdom, to see that the great charter, and the charter of the forests, were fully executed. In a word, he omitted nothing that might contribute to the true honour of his royal master, and to the peace and prosperity of his country. But while this great and good man was thus nobly employed, he was carried off by death about the middle of March A. D. 1219, to the unspeakable loss both of the king and kingdom. He was succeeded in the regency by Peter de Roches bishop of Winchester, a Poitevin, and Hubert de Burgh, high justiciary (10).

Death of the protector, and succession of Peter de Roches and Hubert de Burgh.

A. D. 1219.

One of the worst consequences of the late civil wars was, that they greatly increased the lawless licentious spirit of many of the great barons, who were little better than great robbers; and the mutinous disposition of the citizens of London, who were still very much dissatisfied to the present government. The new regents employed the three first years of their administration in reducing the earl of Albemarle, and some other turbulent barons, to order, and in quelling and punishing some dangerous mutinies of the Londoners. In doing this they exercised some acts of power and severity, by which they gave

Conduct of the new regents.

(8) Rymer, vol. I. p. 221. M. Paris, p. 210.

(9) M. Paris, p. 210. Annal. Waverlian. p. 134.

(10) Chron. T. Wikes, p. 39. M. Paris, p. 210.

A. D. 1219. great offence; particularly, by commanding one Constantine, an audacious incendiary, and some other ring-leaders of the London mob, to be hanged without a formal trial (11).

A. D. 1223. Hubert de Burgh, who had the chief direction of affairs, thought it would diminish the general odium which his great power, and the spirited exertion of it, had drawn upon him, to have the king, who was now in his sixteenth year, declared of age. He therefore obtained a bull from the pope (who was still considered as superior lord of the kingdom), declaring Henry of age, and commanding all the barons to deliver up the royal castles, which they held, into the king's hands (12).

Refractory  
barons re-  
duced:

The high justiciary set an example of obedience to this bull, by giving up the tower of London, and Dover castle, two royal fortresses, which had been committed to his custody during the king's minority. But this was an example which many of the barons did not incline to follow. The earls of Chester and Albemarle, and several others, refused to give up the royal castles which were in their custody, raised forces to support their refusal, and the nation was threatened with another civil war; which was happily prevented by the interposition of the archbishop of Canterbury, who, by threatening the refractory barons with excommunication, brought them to submit (13).

A. D. 1224.  
War with  
France  
concluded  
by a truce.

Some events had lately happened in France, which engaged the attention of Henry and his ministers, particularly the death of Philip Augustus, and the succession of his son Lewis. That prince had engaged, by a secret article in the treaty which he made with Henry at his departure out of England (as some of our historians affirm), to restore Normandy at his accession to the crown of France (14). Ambassadors were sent to demand the performance of this article; but Lewis was so far from complying with this demand, that he raised an army, with which he fell into the province of Poitou, which still belonged to England, took several places of strength, and at last the city of Rochelle, the capital of the pro-

(11) M. Paris, p. 214, 218. Chron. Duff. p. 177. Annal. Waver-  
ley. p. 187.

(12) M. Paris, p. 220. Trist. p. 174.

(13) M. Paris, p. 221. Chron. Duff. p. 178.

(14) M. Paris, p. 207.

vince (15). On the news of these losses, Henry called a parliament at Westminster, from which he requested an aid to enable him to put a stop to the progress of the French arms, which threatened the total expulsion of the English from the continent. The parliament at first shewed no great disposition to comply with this request; but upon the king's consenting to confirm the charters of their liberties, they granted him a fifteenth of all the moveables, both of the clergy and laity (16). With this money the king raised a considerable army, which he sent into France, under the command of his brother prince Richard earl of Poitou and Cornwall, and the earl of Salisbury. These generals having landed with an army at Bourdeaux, A. D. 1225, recovered some places, and, in A. D. 1227, brought the king of France to consent to a truce for three years (17). By this means peace was restored both at home and abroad.

Henry, in a parliament held at Oxford in February A. D. 1227, was declared of full age for government, and the regent, Hubert de Burgh, divested of his office; but still retaining the favour of the king, he was made earl of Kent (18).

A violent quarrel broke out this year between king Henry and his brother Richard earl of Cornwall. Richard had seized a manor belonging to one Walleran, affirming it belonged to his earldom of Cornwall; and when the king commanded him to restore it to its former owner, he refused to obey; and forming a confederacy with several great barons, raised a powerful army. The king being quite unprepared to resist so great a force, and knowing his brother's covetous disposition, entered into a negotiation with him, and gained him over by a grant of lands of much greater value than those in question. The confederates being thus deprived of their head, were obliged to dismiss their forces, and remain quiet (19).

Lewis VIII. of France, after a very short reign, was now dead; and having been succeeded by an infant son, that kingdom became a scene of great confusion, and

(15) Rymer, vol. 1. p. 269.

(16) M. Paris, p. 223. Rymer, vol. 1. p. 277.

(17) Rymer, vol. 1. p. 294, 295.

(18) M. Paris, p. 232.

(19) M. Paris, p. 233.

**A. D. 1229.** presented Henry with a favourable opportunity of recovering his French dominions. The Normans even importuned him to come over with an army, and promised to receive him with open arms (20). But Henry being engaged in trifling disputes with his English subjects, neglected this favourable opportunity. At length, however, when the troubles in France were composed, and queen Blench established in the regency, Henry very unseasonably resolved to make a vigorous attempt for the recovery of these dominions. But this attempt was as ill conducted as it was ill timed. In the year 1229, Henry summoned all his military tenants, both in England and Ireland, to attend him at Portsmouth on Michaelmas day, in order to embark for France. In consequence of this summons, a very numerous and gallant army appeared at the time and place appointed; but such was the negligence or treachery of Henry's ministers, that sufficient numbers of ships were not provided for their transportation. This occasioned the expedition to be delayed. Henry having spent the winter in raising money by very illegal and oppressive methods, reassembled his army in the spring, and on the last day of April A. D. 1230, he embarked for France, and in a few days arrived at St. Malo's. The arrival of the English army revived the spirits of the malecontents in France; the duke of Brittany joined the English, with all his forces; and every thing wore a promising aspect. But all these blooming hopes were blasted by the misconduct of Henry, who spent the whole campaign without any action of moment, in a continued course of expensive pleasures; so that many of the poorer knights were obliged to sell their horses and arms to defray their expences. About the end of October, Henry returned to England, covered with disgrace (21).

Fall of  
Hubert de  
Burgh.

The history of England for some years after this, consists of little else, but some court-intrigues, and violent contests for power, between the bishop of Winchester and the high justiciary. The late miscarriages abroad had rendered the ministry of Hubert de Burgh exceedingly odious, both to the nobility and common people.

(20) M. Paris, p. 243.

(21) M. Paris, p. 249. 251, 252. Annal. Waverlæn. p. 192.



The king, who was naturally fickle, being teased with continual complaints against his minister, began to withdraw his affection from him; which being observed by his enemies, they redoubled their clamours against him, and at last wrought his downfall (22). Hubert was removed from his place of high judiciary, though it had been granted him for life, and he was commanded to give an account of the disposal of the revenues of the crown during his administration. The fallen minister, perceiving his ruin was resolved upon, and even his life in danger, took sanctuary in the priory of Merton; from whence the king commanded the mayor of London to bring him either dead or alive. The mayor and citizens of London, to whom Hubert had always been peculiarly odious, were preparing to execute these orders with great pleasure, and had assembled to the number of twenty thousand for that purpose; when some of the most prudent barons representing to the king the danger of such tumultuary proceedings, and of committing the execution of justice to an enraged mob, he recalled his orders. Hubert, some time after, having privately left his sanctuary to visit his wife, who was sister to the king of Scots, was discovered and pursued by some soldiers into a small church; from whence they dragged him; and having loaded him with insults and indignities, carried him to the tower of London. But the church interposing, obliged the king to return him to his sanctuary; where he was so strictly guarded to prevent his escaping, or receiving any visitors, that he surrendered himself, and was once more lodged in the tower (23). When he was every moment expecting the worst effects of the malice of his enemies, the king's resentment began to cool, and he positively refused to consent to the death of a man who had adhered so steadily to his father and himself in their adversity. Hubert, after many various turns of fortune, at last recovered some degree of the king's favour; but wisely abstained from all concern in the administration of public affairs (24).

(22) M. Paris, p. 376.

(23) Id. p. 258—261.

(24) Chron. T. Wikes, p. 41, 42. Chron. Danst. p. 220.

A. D. 1233.

Discontents  
of the great  
barons.

Whatever were the faults of the late minister, the nation reaped no advantage from his fall. He was succeeded by his great rival and enemy Peter de Roches, bishop of Winchester, a man of a very bold and enterprising spirit. This minister invited over many of his own countrymen from Poictou, on whom, by his persuasion, Henry bestowed all offices of honour and profit, procured them the richest heiresses in marriage, and gave them the wardship of the richest of the royal wards (25). These foreigners, elated by prosperity and court-favour, treated the English nobility with contempt. But the great barons were not of a temper to bear such treatment with patience: a number of them, with the earl of Pembroke at their head, boldly remonstrated to the king against this preference given to foreigners before his own nobility. To this remonstrance the bishop of Winchester, in the king's name, returned a haughty answer; with which the barons were so much provoked, that they withdrew from court. The king soon after summoning a parliament to meet at Oxford 24th June, A. D. 1233, the barons by concert refused to attend. Nor did they pay any greater regard to a second summons, to meet, July 11, at Westminster. They even went so far as to send the king a message, that if he did not immediately dismiss the bishop of Winchester and the Poictivens from court, they would drive both him and them out of the kingdom, and place the crown on a worthier head (26). This daring language greatly alarmed the king and his minister; who plainly seeing that the barons were formidable while they were united, laid a scheme to divide them; in which they were successful. Richard earl of Cornwall, the king's brother, together with the earls of Chester and Lincoln, being gained by the court, so many deserted the confederacy, that the earl of Pembroke was almost left alone, to bear the weight of the royal indignation. That valiant nobleman, after defending himself very bravely for some time in England, was decoyed into Ireland, by a contrivance of the bishop of Winchester, and there basely betrayed and murdered (27). Thus did that bold and

(25) Chron. Dunst. p. 151. M. Paris, p. 253.

(26) M. Paris, p. 265. (27) Id. p. 263, 264, 265, &c. An-  
al. Waverl. p. 195. Chron. Dunst. p. 159.

cunning minister dissipate this formidable confederacy, <sup>A. D. 1234.</sup> and triumph over his enemies by the most wicked arts.

But this triumph of the bishop of Winchester was but of short duration. Edmund archbishop of Canterbury represented to the king, in such strong and lively terms, the great injury which he did to himself and his subjects, by placing such unbounded confidence in so hated a minister, and loading strangers with such unmerited honours, that Henry's eyes were opened; the bishop of Winchester was commanded to retire to his diocese; the Poitevins were turned out of all their places; which were filled by Englishmen. The primate, by whose influence this change was brought about, had a great sway in the new administration; from which the people entertained the most sanguine hopes (28).

Disgrace of  
Peter de  
Roches,  
bishop of  
Winchester.

King Henry, who was now in his twenty-ninth year, <sup>A. D. 1236.</sup> had been as unfortunate in love as in war, having paid his addresses to several ladies without success. At last, <sup>Henry's  
marriage,  
and its con-  
sequences.</sup> however, in the beginning of the year 1236, he was married to Eleanor, second daughter to the count of Provence; which marriage soon became the occasion of new disquiets (29). The queen was followed into England by many of her relations and countrymen, who became great favourites with Henry, who on all occasions discovered an extravagant fondness for strangers. William of Savoy, bishop of Valence, the queen's maternal uncle, became prime minister, and had the chief direction of all affairs (30). Peter de Savoy was made earl of Richmond, and Boniface de Savoy was raised to the see of Canterbury, and almost all other places of power and trust were again filled by foreigners. These proceedings did not fail to revive the discontents of the English barons; and the history of England for some years after the king's marriage consists chiefly of the remonstrances of the English nobility against the foreign favourites, and their attempts to remove them from the king's presence and councils, and the arts of these favourites to maintain their ground. Whenever Henry was hard pressed and threatened, or stood in need of money from his parliament, he made the most solemn promises to dis-

(28) M. Paris, p. 271, 272.

(29) Heming, p. 573. M. Paris, p. 276. Rymer, tom. 1. p. 448.

(30) M. Paris, p. 296, &c. M. W. A. p. 248.

A. D. 1238. miss all foreigners, and to govern only by the advice of his barons; but as soon as the danger was over, and his wants supplied, he wantonly violated all his promises (31).

Simon de  
Montfort  
marries  
the king's  
sister.

Among other foreigners who at this time crowded the court of England, was Simon de Montfort, second son of the famous earl of Montfort, general of the croisade against the Albigenes. This young nobleman enjoyed so great a degree of Henry's favour, that he ventured to pay his addresses to his sister Eleanora, countess-dowager of Pembroke, whom he married with the king's consent, and was created earl of Leicester February 2, A. D. 1239: for which great favours this nobleman did not make a very grateful return, as will appear from the sequel of this history (32).

A. D. 1240,  
Sec.  
Expedition  
to the con-  
tinent.

The person and government of Henry were now become exceedingly unpopular, by his incorrigible attachment to foreigners,—his violation of the most solemn promises,—his many illegal and arbitrary exactions of money,—and the assistance which he gave to the papal legates in the like exactions;—by all which the kingdom was oppressed and fleeced in the most intolerable manner. While Henry was on such ill terms with his subjects at home, he very imprudently entered upon a foreign expedition. Isabella, the queen-mother of England, soon after the death of king John, married the earl of Marche, to whom she had been betrothed in her youth. The estates of that earl lay in that part of Poitou which was subject to France; and Lewis IX. having bestowed that country on his brother Alphonso, to him he commanded the barons of these parts to pay homage. Queen Isabella persuaded her husband to refuse this homage as below his dignity, to shake off his allegiance to France, and call in her son the king of England to his protection. Henry accepted the invitation, and raised an army, with which he invaded France A. D. 1242. But this expedition was neither better conducted, nor more successful, than his former one into that country. Lewis soon reduced that part of Poitou which belonged to England, and obliged the earl of Marche to implore his mercy; and if that good king had not been restrained by scruples of conscience, he would have deprived Henry of his few re-

(31) M. Paris, p. 304. vol. 2.

(32) Id. 314.



maining dominions on the continent (33). The king <sup>A. D. 1240.</sup> of England, after buying a truce of five years with France, and expending an immense sum of money in this disgraceful expedition, returned to England in September A. D. 1243; and in order to conceal his shame, he commanded all his military tenants to meet him at Portlincuth, and conduct him to London in great pomp, as if he had returned victorious (34).

A government at once so weak and so profuse, could <sup>A. D. 1244.</sup> not fail to become daily more and more odious and contemptible. The king, whose prodigality rendered him <sup>A parliament.</sup> always indigent, soon after his return summoned a parliament to supply his wants. The parliament, far from granting his request, being now fully convinced of his incapacity for government, formed a scheme to deprive him of the administration, and commit it to four great barons chosen by themselves: but by suddenly dissolving the parliament, he prevented the execution of that scheme (35).

Still further to increase the miseries of the kingdom, and to render the king and his government, if possible, more odious, a new company of foreigners arrived <sup>A. D. 1247.</sup> A. D. 1247 (36). These were three of the king's <sup>Arrival of the king's uterine brothers.</sup> uterine brothers, sons of the earl of Marche and queen Isabella, who was now dead. These young noblemen, at their arrival, were extremely indigent. Henry received them with great kindness; and, without considering either his own circumstances, or the discontents of his subjects, made haste to load them with wealth and honours (37). This continual profusion had now brought Henry into such straits, that, to pay some part of his debts, he was obliged to sell his jewels; which were purchased by the citizens of London (38). He had broke his faith so frequently to his parliaments, that it was now become customary with these great assemblies, to answer all his demands of money with cutting reproaches for the violation of his promises, his profusion to foreigners, and his other

(33) M. Paris, p. 392, 393, &c. M. West. p. 306. Chron. Danst. p. 155.

(34) M. Paris, p. 409. Chron. T. Wikes, p. 45.

(35) M. Paris, p. 432.

(36) Id. p. 491. 495.

(37) Knighton, col. 2435.

(38) M. Paris, p. 501.

A. D. 1247. acts of male-administration. This obliged Henry to have recourse to many illegal and oppressive methods of raising money to supply his wants. In order to furnish a plausible pretence for these exactions, he assumed the sign of the cross in the year 1250, and declared his resolution to go in person into Palestine, at the head of an army, for the recovery of the Holy Land (39). To defray the expences of this expedition, he extorted money from the Jews, the clergy, the cities, the merchants, and, in a word, from all kind of persons, by all kind of means; but having obtained the money, he talked no more of the expedition. Notwithstanding all these expedients for raising money, such was the insatiable avarice of those foreign harpies with whom Henry was surrounded, that he was thereby reduced to such straits as to say, “ that alms given to him were more charitably bestowed than on the wretch who begged from door to door (40).” Nay (if we may believe a cotemporary historian), the officers of the king’s household acted the part of common robbers and highwaymen, with the knowledge of their royal master, who shared in their booty.

A. D. 1252.  
Quarrel  
between  
Henry and  
the earl of  
Leicester.

The province of Gascony, in France, still belonged to the crown of England; but several barons in that province had rebelled against the English government, and Henry had sent his brother-in-law Simon de Montfort earl of Leicester with an army to quell these rebellious barons. Montfort succeeded in his design, and reduced the revolted barons; but exercised such severity in his government, that the whole inhabitants of Gascony were exasperated against him, and sent commissioners over to England, who accused him of many acts of oppression. Henry received these commissioners very favourably, and plainly discovered his wishes that Montfort might be found guilty. This obliged the earl to have recourse to the discontented barons; among whom he made so powerful a party, that when he came to his trial he was acquitted by his peers, in spite of all the Gascon commissioners, and the king himself, could say against him. Henry was so much enraged at this, that forgetting the dignity of his character, he loaded the earl with opprobrious language, calling him a villain and a traitor. Montfort,

(39) M. Paris, p. 518. M. West. p. 338. Chron. Dunst. p. 293.

(40) M. Paris, p. 517.

naturally proud and passionate, starting up in a violent rage, told the king he lied. Such were the fierce and rude manners of those times, and so much was majesty degraded by the weakness of this prince! This outrageous affront however made so deep an impression on the king's mind, that he was never cordially reconciled to the earl (41).

Henry finding that all the violent, illegal, and disgraceful methods of raising money, which he had used, were quite insufficient to supply his wants, resolved again to make trial of a parliament; and one was summoned to meet at Westminster on the 5th of April A. D. 1253. The king laid an account of his necessities before this assembly; and further informed them, that he designed to set out as soon as possible for the Holy Land, and earnestly entreated them to grant him such a supply as would enable him to accomplish that pious design. In order to obviate their usual reproaches, and to gain their consent, he made many acknowledgments of his former errors, and gave them the strongest assurances, that he would govern for the future according to their wishes, and would confirm the charters of their liberties in any manner they pleased. Though the parliament was by no means convinced of his sincerity, yet, after some deliberation, they wisely resolved to make one further trial, by taking him at his word; and agreed to grant him a tenth of all ecclesiastical revenues for three years, and a scutage of three shillings on every knight's fee, on his confirming the charters with such awful solemnities as might be deemed inviolable; to which the king consented. According to this agreement, the king, with the whole parliament, met, on the 4th of May, in the great hall at Westminster, the prelates and clergy in their robes, with each a lighted taper in his hand. The great charter, and charter of the forests, were read aloud to this august assembly; and then a sentence of excommunication, containing the most tremendous curses and denunciations of the divine wrath against all who should violate, or consent to the violation of these charters, in any particular, was pronounced; at the conclusion of which, the prelates and clergy threw their tapers on the ground, crying with one voice, "So

A. D. 1252.

A. D. 1253.

The charters confirmed with great solemnity.

(41) M. Paris, p. 507. 513. 559. 560.

" may

A. D. 1253. “ may every one be extinguished, and sink in hell, who shall incur this sentence.” To which the king, laying his right hand upon his heart, replied, “ So help me God, as I shall faithfully observe all these articles, as I am a man, as I am a Christian, as I am a knight, and as I am a crowned, anointed king.” These obligations, it must be confessed, were as solemn and awful as could well be devised; but they were very soon violated by this faithless and misguided prince (42).

A. D. 1254.  
Expedition  
into Gas-  
cony.

The divesting Montfort (earl of Leicester) of his command in Gascony, which followed soon after the violent quarrel above related, was attended with very ill effects. The Gascon barons, no longer overawed by that brave and active governor, became more and more turbulent; and even invited the king of Castile to take possession of their country, who pretended to have got a grant of it from Henry II. The Castilian, in conjunction with the dissatisfied barons, reduced several places, and threatened the reduction of the whole province. But Henry, being now reconciled to his English subjects by his late solemn confirmation of their charters, found himself in a capacity to undertake an expedition into Gascony (43). Accordingly he summoned all his military tenants to meet him in June at Portsmouth; and on the 15th of August he arrived at Bourdeaux with a gallant army, which soon recovered all the places which had been lost, and obliged the king of Castile to make a formal renunciation of all his pretensions to Gascony. The reconciliation between the two courts was so complete, that a marriage was concluded between Edward prince of England and Eleanor princess of Castile.

Henry en-  
deavours to  
deceive his  
parliament.

But Henry, who delighted much in low dishonest cunning, carefully concealed all this, and sent over his commands to the queen, and his brother the earl of Cornwall, regents of England, to call a parliament, and demand a supply for carrying on the war. A parliament was accordingly assembled on 27th January A. D. 1254; but, having got some hint of the pacification, refused to grant any money until Gascony was actually invaded. Henry, not satisfied with this denial, commanded the regents to

[42] M. Paris, p. 280. Annal. Burt. 323. M. Westmonast. p. 244.

[43] M. Paris, p. 531. M. Westmonast. p. 256. Rymeri Foedera, t. 1.



reassemble the parliament fifteen days after Easter. But A. D. 1254. the earl of Leicester returned from Gascony before that time, and having made a full discovery of the state of affairs there, the parliament returned the same answer to this second demand; and all Henry's dishonourable arts to impose upon his people served only to revive their former distrust of him, and contempt for him (44).

Lewis king of France having this year returned from his unfortunate expedition into the Holy Land, Henry applied to him for leave to pass through France in his way to England. This favour was readily granted; and Henry, with all his numerous court and retinue, were magnificently entertained for some time at Paris; and all possible honours were paid him in all places through which he passed. So much time was spent in this journey, that Henry did not arrive in England till the beginning of the year 1255 (45).

The pope, who still acted as superior lord of England, A. D. 1255. had contributed very much, by the great authority he possessed, and the terror of his spiritual thunders, to support Henry in all his illegal exactions, and to prevent the discontented barons from proceeding to extremities. The pope offers the crown of Sicily to Henry's second son. But his holiness about this time led his royal vassal of England into an affair which involved him in great expence and trouble, by making him an offer of the crown of Sicily for his second son prince Edmond (46). The pope pretended to dispose of that crown, both as superior lord of Sicily, and as vicar of Jesus Christ, to whom all the kingdoms of the earth belonged. He had offered this dangerous present to Richard earl of Cornwall, the king's brother, who wisely declined the offer; but Henry, not so cautious, accepted of it; and his son was stiled *king of Sicily*. This crown however was to be won before it could be worn. In order to this, Henry gave his holiness an unlimited credit, to employ what sums of money he pleased in wresting the crown from Mainfroy, who was in possession of it, engaging to reimburse him (47). The pope, glad of an opportunity of making war on his mortal enemy Mainfroy at another's cost, spared no expence; and in a little time the unwary Henry found himself loaded with an immense debt of 250,000l (48).

(44) M. Paris, p. 592. 594.

(45) Id. p. 600.

(46) Rymer, vol. 1. p. 512, &amp;c.

(47) M. Paris, p. 529.

(48) Rymer, vol. 1. p. 507, &amp;c. M. Paris, p. 617.

A. D. 1255.

A parlia-  
ment.

The situation of this prince, on this occasion, was truly perplexing : if he refused to pay this debt, besides losing all hopes of the crown of Sicily, he would incur the indignation of the pope, whose favour was his greatest support ; if he attempted to pay it, he must have recourse to new and greater acts of oppression, which might be dangerous. To extricate himself out of these difficulties, he resolved to call a parliament : but in doing this he used a piece of craft, which defeated its own end. He summoned only such barons as he hoped would comply with his desires, sending no writs to such as he apprehended would be refractory. This parliament met on the 18th October A. D. 1255 ; and when the king laid before them a representation of his necessities, and requested a supply, they made answer, that they could grant no money without the consent of the absent barons, who had not been summoned (49).

Henry and  
the pope  
oppress the  
clergy.

The church was now Henry's great resource for money ; and by the assistance of papal authority he squeezed the clergy without mercy. The pope, by virtue of the plenitude of his apostolical power, granted the king, by several bulls, the goods of all clergymen who died intestate ; the revenues of all vacant benefices, and of all non-residents : he published a croisade against Mainfroy, whom he represented as a greater enemy to the Christian faith than any Saracen (50) : he commanded all the money which had been granted by the English parliament for an expedition into the Holy Land to be employed in the conquest of Sicily ; he released Henry, and all others who had taken the cross or promised money for the holy war, from their vows, on condition of their engaging in person in the war against Mainfroy, or advancing money for its support. It would be endless to enumerate all the arts which the pope and king employed at this time to extort money from the people, especially from the clergy of England ; but one of these arts was too remarkable for the villainy and impudence of it to be omitted. Waleran, bishop of Hereford, a creature of the pope, who resided at Rome as an agent for the church of England, drew bills of different values on all the bishops, abbots, and considerable clergymen of the kingdom, amounting

(49) M. Paris, p. 614.

(50) Rymer, vol. 1. p. 568. 593.

on the whole to 150,540 marks: an immense sum in <sup>A. D. 1255.</sup> those days! These bills were granted to Italian merchants; who, it was pretended, had advanced the money contained in them, for the Sicilian war (51).

When this exorbitant demand was first notified to the English clergy, they were filled with astonishment and <sup>Resistance of the</sup> indignation, and some of them declared their resolution <sup>clergy.</sup> to suffer any extremity rather than comply with it. They were threatened with deprivation; and one of the bishops had the boldness to say, that if they took his mitre from his head, he would supply its place with a helmet (52). Yet, with such union and perseverance did the pope and king urge their demand, that the clergy, after a long and spirited resistance, were constrained to submit to this intolerable imposition (53).

Though Richard earl of Cornwall was of a very different character from the king his brother, being as remarkable for amassing money as the other was for squandering it; yet at last his ambition got the better of his prudence, and he embarked in an affair which proved as chimerical and expensive as that of Sicily. The Imperial throne being vacant, some of the electors cast their eyes on earl Richard, or rather on his riches, and he was chosen king of the Romans, and a deputation sent to invite him to come and take possession of that dignity. Richard, dazzled with the lustre of the Imperial crown, after some hesitation, accepted of the invitation; and in April A. D. 1257, he departed from England with a noble train of forty English gentlemen, and carried with him, if we may believe Matthew Paris, a contemporary historian, no less a sum of money than seven hundred thousand marks, equal in value and efficacy to eight millions of our money at present (54). But this prince, on his arrival in Germany, found that he had a powerful rival for the Imperial throne, in Alphonso king of Castile; and expended all the money he carried with him, besides several remittances from England, without obtaining any thing in return but the empty title of King of the Romans.

(51) Rymeri Fœdera, t. 1. p. 595.

(53) Id. p. 617. 619.

(52) M. Paris, p. 615, 616.

(54) Id. p. 639.

A. D. 1258.

Fatal conse-  
quences of  
the depar-  
ture of earl  
Richard.

The departure of earl Richard from England at this time was very fatal both to his country and his family : to his country, by draining it of such a prodigious mass of treasure, the want of which was very severely felt ; to his family, by depriving it of the support of the first prince of the blood, the richest and most powerful subject in Europe. For though Richard had often joined the discontented barons, in their remonstrances against the illegal and arbitrary measures of Henry's government ; yet whenever the barons attempted to go too far, and to deprive the crown of its just prerogatives, he always deserted them, and put a stop to their proceedings. But as soon as the throne was deprived of this great support, the barons made bolder attacks upon it ; and the misguided prince soon furnished them with a favourable opportunity.

A parlia-  
ment.

Henry, still deluded by the pope, continued to prosecute the ridiculous design of conquering Sicily, called a parliament, and demanded supplies for that purpose. Never was any demand more imprudent or unseasonable. It furnished the earl of Leicester, and the other discontented barons, with the fairest occasion of reproaching Henry with all the errors and abuses of his government ; which they did in the strongest terms, concluding with a solemn declaration, that they were determined no longer to rely on his oaths and promises, which had been so often violated, but were resolved immediately to drive all foreigners from his court and presence, and to have the administration put into such hands as they could depend upon. In fine, they proposed, that twenty-four persons should be chosen, twelve from the king's council, and twelve from their own number, to whom full powers should be given to reform all the abuses in the government, and to make such regulations as should effectually prevent the return of such abuses. The king, intimidated by the determined air and martial appearance of the barons, who came into the parliament-hall in complete armour, consented to every thing proposed ; and another meeting was appointed to bring this new model of government to perfection (55).



Accordingly, on the 11th June A. D. 1258, that famous assembly, afterwards called *the mad parliament*, met at Oxford. The barons came attended with such an armed force as rendered any opposition from the court impracticable. According to agreement, twelve barons were chosen by the king's council, and twelve by the parliament; to whom was given an absolute authority, unlimited both as to time and power, to reform the state, and make what regulations they thought fit, for the future government of the kingdom; in a word, into their hands was committed the whole legislative and executive power: and the king himself, his eldest son prince Edward, and all persons in all stations, took a solemn oath to observe and obey all regulations which should be made by these twenty-four barons (56). As the earl of Leicester was the most considerable person in this junto, for riches, power, eloquence, boldness, and popularity, they acted chiefly by his direction and advice. Their first transactions bore a specious appearance of a real regard to the public good. They ordained, That three sessions of parliament should be held every year, in the months of February, June, and October (57):—That four knights should be chosen in each county, to enquire into the peculiar grievances of that county, and lay the same before each meeting of parliament; and that the expences of these knights in the performance of that service should be borne by their county:—That a new high sheriff should be elected every year, by the votes of the freeholders in each county:—That none of the royal wards should be committed to the custody of foreigners:—That no new forests or warrens should be created:—and, That the revenues of counties should not be let to farm. Such were the first regulations (commonly called the *Provisions of Oxford*) which were made by the twenty-four barons (58).

A. D. 1258.  
The provisions of Oxford.

If these barons had proceeded in the same moderate and equitable course, and made all proper haste to finish the work of reformation, there would have been no great reason to complain of their abuse of the unlimited authority with which they had been intrusted. But their subse-

A. D. 1259.  
Violations of the constitution

(56) Rymer, vol. i. p. 695. Chron. Dunst. p. 334.

(57) Ann. Bur. p. 425.

(58) Rymeri Fœdera, p. 660, &c. Annal. Burton. p. 414, &c.

A. D. 1259. {quent proceedings discovered a very interested spirit, and indicated an intention to perpetuate their own power, and turn it to their own private advantage. They got into their possession all the royal castles, which they either kept in their own hands, or committed to the custody of their creatures. They turned out all the great officers of state, and of the king's household, to make room for themselves and their dependents. They enriched themselves and their families, by the royal escheats and wardships. In a word, the twenty-four barons engrossed the whole power, and a great part of the revenues of the crown; the king was a mere pageant of state, without the least shadow of authority, and the English constitution was entirely changed from a monarchy to an aristocracy, or rather an oligarchy (59).

Prince Edward, &c. obliged to submit.

Prince Edward, the king's uterine brothers, the queen's relations, and some of the English barons, made some opposition to all these prodigious changes; particularly to the oath of unlimited submission to all the ordinances of the twenty-four barons, made and to be made; and to the surrender of the royal castles: but the torrent ran so strong, that all opposition was in vain, and they were obliged to submit (60).

The king's uterine brothers flee.

The foreign favourites, against whom Leicester, himself a foreigner, denounced the most terrible threatenings, seeing the king no longer able to protect them, betook themselves to flight, and escaped out of the kingdom (61). Even the king of the Romans, who paid a visit to his native country, A. D. 1259, was not allowed to set his foot in England, until he had solemnly engaged to take the oath of submission, and comply with all these changes (62). With such a high hand did the twenty-four barons exert their unlimited authority, that the pope himself, who made nothing of dethroning emperors, though greatly exasperated against them on many accounts, was obliged to smother his resentment.

A. D. 1261. The 24 barons become unpopular.

The twenty-four barons, however, did not long enjoy their exorbitant power in peace. They had lost much of their popularity by their arbitrary proceedings: they

(59) Ann. Burt. p. 413. T. Wykes, p. 53.

(60) T. Wykes, p. 53. Ann. Burt. 411.

(61) M. Paris, p. 660. Ann. Burt. p. 441.

(62) T. Wykes, p. 53.

were often called upon, both by king and people, to finish the intended reformation, that they might lay down their commission; but they made no haste to comply with these calls: and some trifling regulations which they published gave little satisfaction (63). But what was most fatal to their power and interest, was some secret jealousies and disputes which arose amongst themselves, particularly between the two powerful earls of Leicester and Gloucester, the latter alleging, that the former assumed too great a share of authority, and acted many things without consulting his colleagues (64).

The king, who bore with great impatience the state of insignificancy to which he was reduced, hearing of these circumstances, began to entertain hopes of recovering his former authority, and formed a scheme for that purpose. But this, like many other schemes of that prince, was ill-concerted and unseasonable; his son, prince Edward, and his brother, the king of the Romans, who were most able to support him, being both out of the kingdom. Henry, however, having taken his resolution, came unexpectedly into parliament, which was held at London, April 23. A. D. 1262; and reproaching the twenty-four barons with the breach of their promises to him, and the many abuses of their power, declared, that he would no longer pay any regard to the provisions of Oxford, but would immediately resume the exercise of his royal authority (65). Having made this bold declaration, he retired to the tower, whose governor he had gained, seized a considerable treasure which was deposited there, and from thence, by proclamation, turned out all the great officers, judges, and sheriffs, which had been nominated by the twenty-four barons, and put others in their room (66). This occasioned infinite confusion in the kingdom; some obeying the officers and magistrates nominated by the king, and others obeying those nominated by the barons; and many paying no regard to any magistracy, but living as if all government had been dissolved.

(63) Trivit. p. 209. Ann. Burt. p. 428—439.

(64) Chron. Dunst. p. 348.

(65) T. Wykes, p. 55.

(66) Id. p. 56.

A. D. 1262.

Dispute between Henry and the barons compromised.

The twenty-four barons, and their party, were prodigiously astonished at these proceedings of the king, of which they had received no previous notice. But after their first surprise was over, they began to consult what was necessary to be done for their own preservation, and that of their authority. In order to this, they resolved to bury all their private quarrels and animosities in oblivion; and the earls of Leicester and Gloucester were reconciled: they bound themselves anew, by the most solemn oaths, to stand by one another, and to support the provisions of Oxford with their lives and fortunes. Strengthened by this union among themselves, the twenty-four barons began to talk and act with their former authority. They sent the king a message, requiring him to recall his late declaration, and submit to the provisions of Oxford, declaring, that if he did not comply, they would compel him to it by force of arms (67). When things were in this strange unsettled state, prince Edward and the king of the Romans arrived in England. The prince, very much to his own honour, but to the great surprise and disappointment of his father, declared, that though he had taken the oath of submission to the Oxford provisions, much against his will, yet he thought himself bound to observe that oath (68). The king of the Romans offering his mediation, it was accepted by both parties; and an agreement was brought about on the following terms: That Henry should once more submit to the provisions of Oxford; and that the barons should change and mitigate certain articles which were most displeasing to the king. But the earl of Leicester refused to sign this agreement, declaring, that he could no longer rely on any promises of a prince who had so often violated his most solemn oaths; and he retired into France in great discontent. By this pacification, however, some degree of order and tranquillity was restored to the distracted kingdom (69).

A. D. 1263.

Pacification.

Henry imprudently trusting to this appearance of tranquillity, or more probably in order to avoid fulfilling his part of the late treaty, hastened over to Bourdeaux, to settle, as he pretended, some affairs in Guienne (70).

(67) M. Paris, p. 667.

(68) Id. *ibid.*

(69) T. Wykes, p. 57.

(70) M. Wailly, p. 381.



The barons, displeased that the king had left the kingdom without confirming the Oxford provisions, were greatly incensed at his endless prevarications; and the earl of Leicester, returning from France, so effectually inflamed them, that they became more united, and more determined to proceed to extremities, than ever. As soon as the king returned from Guienne, the barons addressed him in a body, demanding the immediate confirmation of the provisions of Oxford. But Henry having overcome the scruples of his son prince Edward, and depending on the assistance of his brother, and some other barons, returned a rough answer to this demand; and even went so far as to call them rebels, and threatened them with the severest punishment. This answer was more than sufficient to drive the barons to extremities: they immediately flew to arms; and chusing the earl of Leicester for their general, they destroyed the lands of the king and his adherents, put to death all foreigners that fell in their way, and took several cities, before the king had any troops ready to oppose them (71). This brought Henry once more to consent to any terms the barons thought fit to prescribe; and a second pacification was made on the following conditions: 1. That all the king's castles should be delivered to the barons. 2. That the provisions of Oxford should be inviolably observed. 3. That all foreigners should be banished. 4. That the administration of affairs should be committed to such as the barons pleased (72).

But this pacification was no better observed than the former; and the whole year 1263 was spent in alternate truces and hostilities between the king and the barons. The citizens of London having in general embraced the party of the barons with the most ardent zeal, the mob of that city insulted the queen, as she was upon the river in her barge, with the most opprobrious language; and even put her in fear of her life, by throwing at her dirt and stones (73). Prince Edward was besieged in the castle of Bristol by the inhabitants of that city; and having got from thence by stratagem, he was again besieged by the barons in Windsor castle; and being taken prison-

A. D. 1263.

Another pacification.

(71) Trivit. p. 211. M. West. p. 382.

(72) Chron. Dunst. p. 383. M. Paris. p. 668, 669.

(73) T. Wyke, p. 57. M. Paris, p. 668.

A. D. 1263. **er** in a conference with the earl of Leicester, he was obliged to purchase his liberty by the surrender of the castle (74). These, and some other unfavourable events, again discouraged the king, and obliged him to submit to more disadvantageous terms than any he had yet yielded to, in order to obtain a cessation of hostilities. A pacification was accordingly concluded, on the 18th of July A. D. 1263, by which the authority of the twenty-four barons was to continue, not only during the reign of the present king, but even during that of his successor (75).

A. D. 1264.  
Disputes  
between  
Henry and  
the barons  
referred to  
the king  
of France.

This last condition, as might be expected, was very displeasing to prince Edward; who, exerting himself with great vigour, gained over to the royal party several great barons, who either envied the authority, or disliked the violence, of the twenty-four. This brought the two parties much nearer to an equality than they had been, and made them both readily agree to refer all their differences to Lewis IX. king of France, a prince universally admired for his great wisdom and virtue. This reference being ratified by the oaths and subscriptions of all the great men in both parties, Lewis undertook the honourable and friendly office of umpire, and summoned the states of France to meet at Amiens on the 23d January A. D. 1264, in order to examine the merits of this great cause in their presence; and on the 3d of February he pronounced this equitable award: That the provisions of Oxford, being destructive of the royal authority, and subversive of the ancient constitution, should be annulled, and the king restored to the possession of all his castles, lands, and revenues; to the nomination of the great officers of state, and of his household; and in general, to all the royal rights and prerogatives which he had enjoyed before the meeting of the parliament of Oxford. On the other hand, he decreed, That a general amnesty should be granted to all the subjects of England, for all past offences; and that they should be maintained in the full enjoyment of all liberties and privileges which had been granted to them by any former charters (76).

War be-  
tween Hen-  
ry and the  
barons.

As soon as this award was notified to the earl of Leicester and his party, they rejected it with disdain; affirming, that the one part of it was a contradiction to the

(74) Trivit. p. 212.

(75) M. West. p. 383.

(76) Rymer, vol. i. p. 776, 777, 778. M. West. p. 383.

other;

other; and that it was impossible the liberties of Eng-<sup>A.D. 1264.</sup>land granted by the charters could be maintained, without the provisions of Oxford (77). It now appeared evident to all the world, that this great quarrel could be decided only by the sword; and therefore both parties prepared for war with great eagerness. The earl of Leicester continued in London, the zeal and wealth of whose citizens was the great support of his party, and sent his sons and partisans into all parts of England to raise forces. The king summoned his military tenants, and the barons of his party, from all quarters, and soon found himself at the head of a numerous and gallant army (78). The royal arms were at first successful, having taken Northampton by assault on the 5th of April. Simon de Montfort, one of Leicester's sons, with some other barons, and the whole garrison, were made prisoners; and Leicester and Nottingham opened their gates to prince Edward (79). On the other hand, the earl of Leicester formed the siege of Rochester, in which the earl of Warrenne, and several barons of the royal party, had taken shelter (80). The king and prince, hearing of their danger, hastened to their relief; and Leicester, at their approach, raised the siege, and retired with his army to London.

Here having received a powerful reinforcement of fif-<sup>Battle of Lewes.</sup>teen thousand of the most zealous citizens, he thought himself sufficiently strong to meet the royalists in the field (81). Leaving London, therefore, he directed his march towards Lewes in Suffex, where the king and prince, with their army, lay encamped. At this place, on the 14th of May A. D. 1264, was fought the famous and decisive battle of Lewes. The royal army was divided into three bodies, the van commanded by prince Edward, the main body commanded by the king of the Romans and his son Henry, and the rear by the king in person, assisted by some of the chief barons of his party (82). The other army was divided into four bodies, the van, consisting entirely of Londoners, commanded by Nicholas de Segrave, the main body commanded by the earl of Leicester in person, and two bodies of re-

(77) Chron. Dunst. p. 363.


(79) Rym. t. i. p. 772.

(79) T. Wykes, p. 60.

(80) Id. p. 61.

(81) M. West. p. 386.

(82) M. West. p. 387. T. Wykes, p. 63.

A. D. 1264.  serve, the one commanded by the earl of Gloucester, and the other by Henry and Guy de Montfort, two of Leicester's sons. In the beginning of the action, victory declared for the royalists. Prince Edward made so furious an attack upon the Londoners, that he put them to flight; and transported by his youthful ardour, and the resentment of the many injuries they had heaped upon his family, pursued them four miles with great eagerness and slaughter (83). Leicester, taking advantage of the great error the prince had committed, led on the bodies commanded by himself, by Gloucester, and by his sons, against the main body of the royalists, which was defeated with great slaughter, and the king of the Romans, who commanded it, taken prisoner; and soon after king Henry shared the same fate, the rear of his army, where he was, being also defeated, and pursued into the town of Lewes (84).

The Mife  
of Lewes.

Prince Edward at last returning from the pursuit of the Londoners, to his infinite surprise and grief, found the day entirely lost, and heard that the two kings, his father and uncle, with many of the chief barons of the party, were prisoners. He endeavoured to persuade the forces he had about him, to renew the battle while the victors were in some confusion; but they were too much confounded and dispirited to listen to his persuasions; and the artful Leicester, fearing some attempt of that kind, amused the prince with proposals for an accommodation (85). In the mean time the earl was busy in securing his royal prisoners, and rallying his troops, with which he surrounded the prince on all hands. Edward, finding that there was hardly a possibility left for his escape, was obliged to submit to these hard conditions: That the provisions of Oxford should be confirmed and executed; and that the prince and his cousin Henry, son to the king of the Romans, should surrender themselves prisoners, and remain as hostages for their respective fathers, in the hands of Leicester and the barons, until all things were completely settled (86).

Violated by  
Leicester.

This treaty is commonly known in the English history by the name of the *Mise of Lewes*; in consequence of which, prince Edward, and his cousin Henry, immedi-

(83) Hemming, p. 583. M. Paris, p. 670. 671.

(84) M. Wail. p. 387.

(85) Hemming, p. 584.

(86) M. Paris, p. 671. Kaynton, vol. 2451. T. Wyke, p. 63.



ately surrendered themselves to Leicester, who sent them <sup>A.D. 1264.</sup> under a strong guard to Dover castle. As the great design of Leicester and the barons in making the mise or agreement of Lewes, was to get prince Edward into their hands, who was the chief object of their fears, and of the hopes of the royal party, as soon as they had accomplished this end, they paid no further regard to that agreement. The two kings who should have been set at liberty by that treaty, were still prisoners in effect, being surrounded by such only as were entirely devoted to Leicester; who made the unfortunate Henry send orders to all the governors of his castles to surrender them to the barons; and made use of the king as an instrument of destroying the royal authority, and advancing his own, and that of his party (87).

The earl of Leicester having got the chief persons of the royal family, and the whole royal authority, into his hands, became wanton with prosperity, and gave full scope to his two ruling passions, avarice and ambition. To gratify the former, he seized the estates of eighteen barons of the royal party, and appropriated to himself the greatest part of the money arising from the ransom of the prisoners which had been taken at the battle of Lewes; and took many other oppressive and dishonourable methods to fill his coffers (88). To satisfy his ambition, he contrived a new plan of government, by which the royal authority was committed to three persons, viz. himself, the earl of Gloucester, and the bishop of Chichester; and as the bishop was entirely under his influence, he in reality had the supreme direction of all public affairs (89).


Such immense wealth and exorbitant power in any subject could not fail to excite envy; and the natural haughtiness of Leicester, increased by his great good fortune, rendered his exaltation still more offensive and invidious. He was generally suspected, and even openly accused, of aspiring to the throne. The fallen and desolate state of the royal family, not only increased the tenderness and affection of their own party, but began to awaken compassion in the breasts of many who had contributed to their fall. The earl of Gloucester, in particu-

Effects of  
Leicester's  
conduct.

(87) Rymer, vol. 1. p. 760, Sec.

(88) T. Wikes, p. 63. M. Paris, p. 671.

(89) Brady's Appendix, No. 113. Rymer's Fœdera, t. 1. p. 693, Sec.

A. D. 1264.  lar, seeing himself so much eclipsed by his all-grasping and too powerful associate, secretly conspired his ruin (90).

A. D. 1265.  
A Parlia-  
ment. The earl of Leicester was too quick-sighted not to discern the existence, and dread the consequences, of these encreasing discontents, which prevailed chiefly among the better sort. In order to diminish this odium under which he had fallen, he put on an appearance of moderation, and called a parliament, in order, as he pretended, to set prince Edward at liberty. To this famous parliament were summoned not only the great barons, but every shire was ordered to send two knights, every city two citizens, and every burgh two burgessees, as their representatives (91). This parliament assembled 28th January, A. D. 1265, and, by the persuasion of the earl of Leicester, made a decree to set prince Edward at liberty, but at the same time commanding that he should remain near the person of the king his father. The prince was accordingly brought from Dover castle, and delivered to his father; but as the king was in reality a prisoner in the hands of Leicester, the prince was guarded with the most jealous care, and soon found that he was still a prisoner, only a little more at large (92). This gross imposition rather increased than diminished the hatred and jealousy of the public against Leicester. The earl of Gloucester, not daring to trust his person within the reach of his daring and powerful rival, retired to his estate, repaired and garrisoned his castles, and made all possible preparations for his own defence (93).

Prince Edward makes his escape.

Leicester, determined to crush the earl of Gloucester and his adherents, proclaimed them traitors in the king's name, raised an army, and marched towards them, carrying the king and prince with him. As the two armies drew near to one another, the earl of Gloucester formed a scheme for the deliverance of prince Edward out of the hands of Leicester; he even found means of communicating this scheme to the prince, and of getting a horse of extraordinary fleetness conveyed to him. The prince, in consequence of this concert, feigned himself indisposed for some days, and then pretending to recover he pro-

(90) M. Paris, p. 671.

(91) Rymer, vol. 1, p. 108.

(92) Annal. Waverlien. p. 216.

(93) T. Wyke, p. 66. M. Paris, p. 671. Annal. Waverlien. p. 216.

posed to take an airing on horseback, for the benefit of his health. Leicester suspecting nothing, and trusting to the fidelity and vigilance of the gentlemen he had placed about the prince's person, made no opposition. As the prince and his company, or rather guards, were riding along, he artfully proposed running matches between the several gentlemen who were best mounted; while he himself, as hardly recovered from his indisposition, moved gently along, on the horse conveyed to him by the earl of Gloucester. At length, when he observed the horses of his attendants sufficiently blown by their diversion, the prince, suddenly clapping spurs to his horse, rode off at full speed. As soon as his attendants recovered from their surprise, they pursued him till they saw the prince received by a party of horse, which had been sent to favour his escape (94).

A.D. 1265.

This fortunate escape of prince Edward gave incredible joy to all the friends of the royal family; who flew to arms, and hastened to his standard; and being joined by the earl of Gloucester, Roger Mortimer, and the barons of these parts, he soon found himself at the head of a very gallant army (95). At the desire of the earl of Gloucester, the prince made a solemn declaration to the army, That if God should grant him victory, he would persuade the king his father to banish all foreigners, to preserve the liberties, and govern according to the laws, of England. This declaration inspired his army with the warmest attachment to his person, and the most ardent zeal for the royal cause (96).

Prince Edward at the head of an army.

Though Leicester was greatly astonished at the prince's escape, he was not wanting to himself, but took every measure he could think of for his own preservation. Having the king still in his hands, he obliged that unhappy prince to issue a proclamation, declaring his son prince Edward, the earl of Gloucester, and all their adherents, traitors, and forbidding his subjects to give them any assistance (97). He wrote to his eldest son, Simon de Montfort, to make all possible haste to join him with an army from London. But this junction never took effect:

Battles of Kenilworth and Evesham.

(94) T. Wykes, p. 67. W. Hemming, p. 585.

(95) T. Wykes, p. 68.

(96) Id. *ibid.*

(97) Brady's Appendix, No. 221, 222. Rymeri Fœdera, t. i. p. 810, 811, 812, &amp;c.

A. D. 1265. for prince Edward, making forced marches, surprised young Montfort and his army at Kennelworth, and cut the greatest part of them in pieces, on the 1st of August A. D. 1265 (98). The prince, without losing a moment's time, turned about and directed his march towards the Severn, in order to meet and attack old Montfort, before he heard of his son's defeat. Leicester had passed the Severn, and was advanced as far as Evesham, expecting every moment to be joined by his son with his army from London, of whose misfortune he had received no information. Prince Edward commanded one part of his army to approach Evesham by the road from Kennelworth, displaying the banners which had been taken from young Montfort's army; and the earl of Leicester's spies, deceived by that appearance, brought him word, that his son, with his army, was at hand. But the earl did not long enjoy the pleasure of this mistake; for he soon discovered with his own eyes, that they were enemies who advanced; and observing their great numbers, and excellent order, he had a presage of his approaching fate; which made him cry out, "God have mercy on our souls; for our bodies are prince Edward's (99)." The armies soon engaged, and, being animated by the example of their valiant leaders, fought with uncommon fury. In the heat of the action, king Henry was wounded, and in great danger of being slain by a soldier of his son's army; but crying out, "I am Henry of Winchester, thy sovereign; don't kill me," he was known, and conducted to a place of safety (100). The Welsh troops in Leicester's army were the first who turned their backs; but even after their flight, his other forces for some time maintained their ground, until the earl himself, and his son Henry Montfort, were slain; which put an end to the fierce dispute: and prince Edward obtained a most glorious and complete victory, near Evesham, on the 4th August A. D. 1265. Besides the earl of Leicester and his son Henry, many other barons of that party were killed; Guy de Montfort, another of Leicester's sons, and several other barons, were taken prisoners (101).

(98) T. Wikes, p. 69. M. Paris, p. 672. *Annal. Waverlioni.* p. 219.

(99) W. Hanning, p. 586. M. Paris, p. 672.

(100) W. Hanning, l. 2. c. 31. p. 586, 587.

(101) *Id. ibid.* M. Paris, p. 672.



Thus fell Simon de Montfort, the great earl of Leicester, who raised himself to a degree of greatness hardly inferior to royalty, and of wealth superior to that of some of our monarchs. Nothing is more difficult than to form a just idea of the real character of this illustrious person, who was abhorred as a devil by one half of England, and adored as a saint and guardian angel by the other (102). He was unquestionably one of the greatest generals and politicians of his age; bold, ambitious, and enterprising; ever considered, both by friends and enemies, as the very soul of the party which he espoused. He was fierce and clamorous in the cause of liberty, till he arrived at power, which he employed in aggrandising and enriching his own family. But whether he did this in order to enable him to establish the liberties of his country on a solid foundation, or only to gratify his own avarice and ambition, is perhaps impossible to be determined.

A. D. 1265.  
Character  
of the earl  
of Leicester.

The death of the earl of Leicester was followed by the total ruin of his family, and destruction of his party. The great estates of the barons were confiscated without mercy; which drove such of them as had escaped from the fatal battle of Evesham to despair. A number of these, under the command of Simon de Montfort, eldest son of the earl of Leicester, seized and fortified the isle of Axholm, and stood upon their defence; but after a brave resistance, they were obliged to surrender to prince Edward, and their leader, Simon de Montfort, was banished the kingdom (103). One Adam de Gurdon was at the head of another party of these desperadoes in Hampshire; and being a person of great strength and courage, he was reduced with some difficulty, prince Edward having taken Adam prisoner with his own hand, after a very fierce and dangerous combat. The prince, charmed with the bravery of the man, though exerted against his own person, not only saved his life, but granted him his liberty: a favour which he returned by the most zealous and devoted services (104). The garrison of the castle of Kennelworth was not so easily subdued, holding out against the royal army several months, and were at last obliged by famine to surrender, in November A. D.

A. D. 1266.  
Consequences of  
the battle of  
Evesham.

(102) M. Paris, p. 672. Chron. Major, p. 233, &c.

(103) W. Hemming, l. 3. c. 32. p. 582. T. Wykes, p. 73.

(104) T. Wykes, p. 76. M. Paris, p. 673.

**A. D. 1266.** 1266 (105). But the most formidable body of the remains of the late powerful and triumphant faction had taken refuge in the isle of Ely, and made great depredation on all the neighbouring country. In order, therefore, to extinguish these surviving sparks of civil dissension, a parliament was held in the town of Kennelworth, during the siege of the castle. In this parliament more moderate counsels prevailed, and certain commissioners were appointed to compound with the rebellious barons. Many of the disinherited, as they were then called, made their compositions, and were restored to their estates (106). But the rebels in the isle of Ely, trusting to their own strength and that of the place, still continued to hold out.

**A. D. 1267.** In order to their reduction, the king held a parliament at St. Edmundsbury on the 10th February A. D. 1267 (107). But the earl of Gloucester, who had contributed so much to the deliverance of prince Edward, to the destruction of Leicester, and to the restoration of the king to his liberty and authority, refused to attend that parliament. This great nobleman, disgusted at the severities exercised towards the disinherited barons, and with the little regard that was paid to the solemn promises which had been made to him by the prince before the battle of Evesham, had retired in discontent to his own estate; and the messengers who were sent to him by the parliament, to invite him to that assembly, found him busy in raising an army. He gave these messengers the strongest assurances, that these preparations were designed against his enemy Mortimer; and even put into their hands a declaration, under his own seal, that he never would bear arms against the king: with which declaration the king and parliament were satisfied; a supply was granted, and an army raised for the reduction of the isle of Ely (108).

**The earl of Gloucester enters London.** When the king was engaged in this expedition against Ely, and prince Edward was employed in reducing some of the disinherited barons in the north, the earl of Gloucester marched suddenly with his army to London, into which he was received without opposition. The city of

(105) T. Wykes, p. 78.

(106) This act of parliament is called *dictum de Kennelworth*. M. Paris, p. 675.

(107) T. Wykes, p. 78.

(108) *Ibid.*

London had been the chief support of the Leicestrian party; and the intemperate zeal of Fitz-Richard the mayor, and the lower rank of citizens, for that party, had driven them to commit many cruel outrages on the royalists, and to offer many indignities to the royal family. For these enormities the city was severely punished after the battle of Evesham; for which being full of resentment and disaffection, the earl of Gloucester was a welcome guest. Here the earl published a manifesto, declaring, that he had taken up arms, to procure more moderate terms for the disinherited, and to oblige the king and prince to keep their promises, of preserving all the liberties of England (109). A. D. 1267.

Henry was greatly alarmed with this new and dangerous insurrection; and prince Edward arriving from the north with an army, and having joined the king, they directed their march towards London (110). At the approach of the royal army, which was very numerous, the earl of Gloucester made proposals for an accommodation; and having obtained an indemnity for himself, his followers, and the city of London, he laid down his arms, and returned to his duty. The isle of Ely surrendered on the 25th of July A. D. 1267, by which a period was put to the civil wars and dissensions with which England had been so long distracted. This happy event was chiefly owing to the defection of the earl of Gloucester from the Leicestrian party, and to the wisdom, valour, and activity of prince Edward. Pacificati-  
on.

The courts of England and Scotland had now for many years lived in the most cordial friendship with one another, the two royal families being united, by the marriage of king Henry's sister Joan to Alexander II. king of Scots, and of his daughter Margaret to Alexander III. Even the national antipathy between the two kingdoms was in a great measure extinguished by an almost uninterrupted peace of half a century. The English in this reign did not live in the same harmony with their neighbours of Wales, whose princes bore with great impatience the superiority of the crown of England over them and their country, and made frequent attempts to throw it off. Scotland  
and Wales.

(109) Rymeri Fœdera, t. 1. p. 41. T. Wykes, p. 81.

(110) Chron. Dunst. p. 394, 395. T. Wykes, p. 79.

A.D. 1267. all these attempts were unsuccessful, and ended in fresh submissions to a power with which they were unable to contend. In the late civil wars Lewellyn prince of Wales warmly espoused the party of Leicester and the barons, and at length shared in the consequences of their defeat: for immediately after the surrender of the isle of Ely the royal army marched into Wales, which obliged Lewellyn to renew his homage and fealty to Henry, and to pay him besides the sum of twenty-five thousand marks (111).

A.D. 1268. By the submission of the Welsh, England was restored to a state of perfect tranquillity; but the rage of civil discord was no sooner extinguished, than the foolish and pernicious spirit of croifading revived: for Henry having assembled his parliament in April A.D. 1268, at Northampton, both the king, and Ottobon, the pope's legate, warmly recommended a new expedition for the recovery of the Holy Land; and prince Edward, with several great barons, many knights, and a great multitude of common people, assumed the cross (112). While preparations were making for this expedition, another parliament was held at Marleborough, in November, in which several good laws were made, which are well known by the name of *the Statutes of Marleborough* (113).

A.D. 1270. After two years had been spent in preparations, prince Edward embarked at Portsmouth, in May A.D. 1270, to join the king of France at Tunis (114); but that great and good king Lewis IX. dying there of the plague, and the French army returning home, the prince was so resolved on this romantic expedition, that he proceeded to Palestine with his own little army. There this brave prince gave many proofs of his undaunted courage and military skill, and so much alarmed the Saracens, that an assassin was employed to murder him, who was killed in making the attempt, but not till he had wounded the prince in the arm with a poisoned knife, by which his life was in great danger (115).

A.D. 1271. While prince Edward was gathering barren laurels, and encountering real dangers in the Holy Land, his family, Death of Henry, III.

(111) T. Wykes, p. 83.

(112) Ann. Waverly, p. 224.

(113) T. Wykes, p. 83, 85.

(114) M. Welf. p. 400.

(115) M. Laus, p. 678. T. Wykes, p. 97. Chron. Mailor, p. 242, &c.



and his native country, stood much in need of his pre-<sup>A.D. 1272.</sup> fence. In this interval the royal family sustained two great losses, by the death of Henry de Almaine, and of his father, the king of the Romans: the former being basely murdered at Viterbo, in Italy, by his two exiled cousins, Guy and Simon de Montfort (116); and the latter dying of grief for the loss of his son, at Berkhamstead, 2d April A. D. 1272. King Henry, worn out by age and infirmities, was quite unequal to the task of government, which under his feeble administration became utterly contemptible. The great barons oppressed the people at their pleasure, the highways were infested by robbers, and the inhabitants of London, and some other cities, became very riotous and disorderly. As the king was returning from Norwich, where he had been suppressing one of these riots, he was taken ill at St. Edmundsbury, from whence being conveyed to Westminster by easy journies, he there died, on the 16th November A. D. 1272, in the sixty-fifth year of his age, and the fifty-seventh of his reign (117).

Henry III. surnamed of *Winchester*, was in his person <sup>Character of Henry III.</sup> of middle stature, of a robust constitution, but unpleasant countenance; his left eye-brow hanging down, and almost covering his eye (118). This prince was certainly not possessed of great intellectual abilities, much less of true wisdom, and the right art of governing; yet his understanding does not seem to have been remarkably defective, but had unhappily taken a turn towards low dishonest cunning. As the ends which he had in view were often bad, and such as could not be openly avowed, he endeavoured to attain them by the winding ways of treachery and deceit. Some of Henry's repartees are preserved in history, which do not bespeak him to have been that simple fool he is often represented. When the archbishop of Canterbury, with the bishops of Winchester, Salisbury, and Carlisle, were sent by parliament in 1253, to present a very strong remonstrance against uncanonical and forced elections to vacant sees: "It is true," replied he, "I have been somewhat faulty in that particular: I obtruded you, my lord of Canterbury,

(116) M. West, p. 400. T. Wyke, p. 95.

(117) M. West, p. 401. T. Wyke, p. 93.

(118) M. Paris, p. 680.

A. D. 1272. “ upon your see : I was obliged to employ both entreaties  
 “ and menaces, my lord of Winchester, to get you elected,  
 “ when you should have been rather sent to school : my  
 “ proceedings were indeed very irregular and violent, my  
 “ lords of Salisbury and Carlisle, when I raised you from  
 “ the lowest stations to your present dignities. It will be-  
 “ come you therefore, my lords, to set an example of  
 “ reformation, by resigning your present benefices, and  
 “ try to obtain preferment in a more regular man-  
 “ ner (119).” But this prince was much more defective  
 in personal courage than in understanding ; and as appears  
 from the whole course of his history, as well as from  
 many anecdotes, was of a very cowardly and timorous  
 nature. In the year 1258, when the royal authority was  
 much eclipsed, and the earl of Leicester was in his glory,  
 the king, in going to the tower by water, was overtaken  
 in a storm of thunder and lightning, with which he was  
 greatly terrified, and ordered his barge to be put a-shore  
 at the first landing place. But being met by the earl of  
 Leicester at his landing, his terrors redoubled, and he  
 exhibited all the marks of the greatest consternation in his  
 countenance, which made the earl observe, that the  
 storm was now over, and he had no further reason to be  
 afraid ; to which the king replied, “ I am indeed beyond  
 “ measure afraid of thunder and lightning ; but, by God’s  
 “ head, I fear thee more than all the thunder in the uni-  
 “ verse (120.” Henry was still more destitute of the no-  
 ble virtues of sincerity in making, and fidelity in observ-  
 ing, his engagements, than he was of courage. When-  
 ever he was hard pushed by the discontented barons, he  
 submitted to any terms they thought fit to prescribe, and  
 confirmed them by all the most awful oaths and solemnities  
 they could devise ; but the moment he thought he could  
 do it with safety, he violated all his promises and oaths  
 without hesitation, satisfying himself with the absolution  
 of his good friend the pope, which he easily obtained.  
 This wicked prevarication was not more odious than it  
 was pernicious to his affairs, and obliged the barons to  
 proceed to much greater extremities than otherwise they  
 would have done, plainly perceiving that nothing could  
 make him keep his promises, but putting it out of his

(119) M. Paris, p. 579.

(120) M. Paris, p. 656.

power to break them. But the most singular feature in this prince's character was his incorrigible partiality and affection to foreigners, which attended him through his whole life, and occasioned infinite vexations to himself and his subjects. No sooner was one set of these foreign favourites driven from the royal presence, by attacks which shook the throne itself, than others took their place, and were cherished with equal fondness, and displaced with equal difficulties and dangers. It is highly probable, that these foreigners, having their fortunes to make, were much more supple and insinuating, and more ready to comply with all his humours, than the English barons, conscious of their own power and importance. The piety of this prince is much extolled by the monkish writers of those times (121). He was no doubt a very useful and liberal son to his holy father the pope, whom he assisted with all his might in fleecing his unhappy subjects. He was also a most devout worshipper of rusty nails and rotten bones, particularly those of his favourite, Saint Edward the Confessor, which he placed in a shrine of gold, adorned with precious stones (122). One of the most commendable parts of this prince's character is hardly ever mentioned by our historians, his love of the arts; for the encouragement of which he expended great sums of money (123). It must further be owned, that he was a very warm and generous, though not a very constant friend, a faithful husband, and an affectionate parent.

Henry III. left two sons; Edward his successor, and Edmund surnamed *Crouch-back*, titular king of Sicily, and earl of Lancaster, Leicester, and Derby, and high steward of England: and two daughters; Margaret, married to Alexander III. king of Scots, and Beatrix, married to John duke of Brittany (124).

As Alexander II. king of Scotland had been induced to enter into the confederacy with prince Lewis of France and the revolted barons, by the prospect of obtaining possession of the three northern counties of Northumberland, Cumberland, and Westmorland; as soon as that prospect vanished, by the defeat of the confederates at Lincoln, 25th May A. D. 1217, he began to think of

(121) *Erat bestialis homo, sed religiosus.* Chron. Mailros, p. 242. M. Paris, p. 680.

(122) T. Wykes, p. 88.

(123) See chap. 4, of this book.

(124) M. Paris, p. 679.

A.D. 1217. making peace with the young king Henry III. which, after some time spent in negotiation, was concluded (125). By one article of this treaty, it was stipulated, that the king of Scotland should marry the princess Joan, the eldest sister of the king of England; and their nuptials (after some delays, occasioned by the detention of the princess in France) were celebrated 25th June A.D. 1221 (126).

A.D. 1221. This peace and marriage put a stop to all hostilities between the two nations for several years, and introduced a friendly intercourse between the two royal families, now so nearly related. The king and queen of Scotland made frequent visits to the court of England; where they were nobly entertained, and received many valuable proofs of friendship from their royal brother (127). This external tranquillity gave Alexander leisure to suppress a dangerous insurrection in Argyle, A.D. 1222, and to punish the people of Caithness for the murder of their bishop, whom they had burnt to death in his own house (128). The internal peace of the kingdom was again disturbed, A.D. 1229, by Gillescop, a turbulent baron in the north, who was at last defeated and slain (129).

Disputes with Henry. Though the intimate relation and pacific dispositions of the two British monarchs prevented an open rupture, there were still several subjects of dispute between them, which now and then occasioned some disquiet. On the one hand, Henry sometimes discovered a disposition to revive the claim of homage from the king of Scotland, which had been given up by Richard I.; and on the other hand, Alexander still insisted on his claim to the three northern counties of England (130). This dispute was determined, A.D. 1237, by the mediation of the pope's legate; and Alexander accepted of certain lands in Northumberland and Cumberland, in lieu of all his claims (131).

(125) M. Paris, p. 204. Ford, tom. i. p. 224. Chron. Mel. p. 155.

(126) M. Paris, p. 216. Rymer, Ford, tom. i. p. 210.

(127) Ford, l. 9. c. 17. M. Paris, p. 250. Chron. Mel. p. 203. Rymer, Ford, t. i. p. 370. 379.

(128) Ford, l. 9. c. 34. 37.

(129) Ford, l. 9. c. 47.

(130) Rymer, Ford, t. i. p. 334, 335, 374. &c.

(131) See Lord Hailes's most accurate Annals of Scotland, vol. i. p. 133.



Joan queen of Scotland, who had contributed so much to the peace of her family and her country, died 4th March A. D. 1238, without having had any children, and Alexander married a French lady, Mary, daughter of Ingelram de Couci, 15th May A. D. 1239 (132).

A. D. 1221.

Death of the queen.

Though the friendship between the two monarchs was not immediately dissolved when the great bond of union was removed, yet it gradually declined, and national jealousies revived. After some time spent in mutual complaints and accusations, both princes raised armies and prepared for war, A. D. 1244 (133). But that was happily prevented, and a peace concluded, by the mediation of Richard earl of Cornwall and other English barons, and Alexander engaged to live in amity with England, and not to assist her enemies, unless the English did him some wrong (134).

Quarrel with England prevented. A. D. 1244.

When Alexander was engaged in an expedition against Angus of Argyle, who refused to do homage for certain islands, he was seized with a fever, of which he died in the small isle of Kirarry, 8th July A. D. 1249, in the fifty-first year of his age, and thirty-fifth of his reign (135). He was one of the wisest and best princes that ever filled the throne of Scotland: and though he maintained the independency of his crown abroad, and the authority of his government at home, with the greatest steadiness and spirit; yet in doing both he acted with so much temper and integrity, “that (to use the words of a contemporary English historian) “he was justly beloved by all the “people of England, as well as by his own subjects (136).” He was succeeded by his only son, of the same name, a child in the eighth year of his age.

Death and character of Alexander II.

Alexander III. was both knighted and crowned by the bishop of St. Andrew's, at Scoon, 13th July, only five days after his father's death (137). This precipitation was used to prevent the king of England from interfering in these ceremonies.

Accession of Alexander III.

Alexander had been betrothed, A. D. 1242, when he was only a year old, to Margaret, eldest daughter of Henry III. a princess about the same age; and their

His marriage.

(132) Chron. Mel. p. 203, 204.

(133) M. Paris, p. 432, 436.

(134) Rym. Fœd. tom. i. p. 429.

(135) M. Paris, p. 515, 516. Chron. Mailros, p. 219.

(136) M. Paris, p. 436.

(137) Ford. l. 10. c. 1.

A. D. 1251. nuptials were celebrated with great pomp, at York, 26th December A. D. 1251 (138). On that occasion Alexander did homage to Henry for his possessions in England; but Henry, taking advantage of his youth, and other circumstances, required him to do homage to him for his crown and kingdom of Scotland. To this unreasonable and ungenerous requisition, Alexander, by the advice of his council, returned this prudent answer, “ That he had been invited to York to marry the prince of England, not to treat of state affairs; and that he could not take a step of so much importance, without consulting his parliament (139).”

Civil broils. Scotland was a scene of much disquiet, and of various revolutions, during the minority of Alexander III. The great men were divided into two parties, the one composed of the powerful family of the Comyns, and their friends; the other of the rest of the nobility and their followers. Robert de Ros and John de Baliol, two of the Comyn party, were regents, and had the young king and queen in their hands, which gave them a great advantage over their rivals (140). They kept their sovereign and his consort in a kind of confinement in the castle of Edinburgh, without allowing them to cohabit; of which, and some other discourtesies, the queen made bitter complaints.

King of England interposes. The king of England, being uncle to the king, and father to the queen of Scots, could not be an unconcerned spectator of those transactions. Listening to the complaints of his daughter against the Comyns, he embraced the interests of the opposite party, who had the good fortune to take the castle of Edinburgh by surprise, and set the king and queen at liberty (141). To support them, Henry came with an army to the borders of Scotland; but at the same time, August 25, A. D. 1255, he emitted a proclamation, declaring, that he did not design to attempt any thing against the rights and liberties of that kingdom (142). He was visited by the king and queen, of Scotland, who spent some time with him, first at Werk castle, and afterwards at Roxburgh. At this last place a plan for the government of Scotland,

(138) M. Paris, p. 395. 554.

(139) Id. p. 554, 555.

(140) M. Paris, p. 600. Chron. Dumt. p. 317.

(141) Chron. Mailles, p. 220.

(142) Rym. Fœd. tom. 1. p. 562.

during

during the king's minority, was settled, 20th September. A. D. 1255.  
 By this plan the Comyns and their friends were dismissed from the council, and deprived of all their places, and the administration was committed to fifteen of the chiefs of the opposite party (143).

The tranquillity of their kingdom being thus restored, the young king and queen, attended by a retinue of 300 horse, visited the court of England, in August A. D. 1256; and on September 2, Alexander obtained a grant of the earldom of Huntingdon from his father-in-law (144). As a further mark of his affection, Henry issued orders to all his military tenants in the five northern counties, to assist the king of Scotland with all their forces (145).

The peace of Scotland was of short duration. Game-lin, late chancellor, and bishop-elect of St. Andrew's, a zealous friend of the Comyns, was consecrated by William de Bondington bishop of Glasgow, who was of the same party, in direct opposition to an injunction of those in power. For this act of disobedience, the bishop of St. Andrew's was outlawed, and the revenues of his see were seized. He flew to Rome, and complained to the pope, who espoused his cause so warmly, that he excommunicated all his enemies. The Comyns and their party, taking advantage of this, exclaimed loudly, that the king and government were in the hands of excommunicated persons; and that the kingdom was in danger of being laid under an interdict. Not contented with clamours, they flew to arms, and seized the king and queen at Kinross. They also made an alliance with Lewellyn prince of Wales, who was then (1257) at war with England, and, carrying the young king with them, they marched their army to the borders. But Henry having raised an army in the north, a negotiation was set on foot, which produced a kind of coalition of parties, and a regency was formed, consisting of ten persons, four of each party, with the queen-dowager and her second husband, John de Brienne (146).

Though this coalition of parties was probably not very

(143) Rym. Fæd. t. i. p. 566, 567.

(144) M. Paris, p. 626.

(145) Rym. Fæd. tom. i. p. 605.

(146) Chron. Mailros, p. 221. M. Paris, p. 644. Rym. Fæd. tom. i. p. 677.

A. D. 1257. sincere, it produced an external calm, which gave the king and queen of Scotland an opportunity of visiting the court of England, where the queen was delivered of a daughter, named *Margaret*, A. D. 1260 (147).

Norwegian  
invasion.

Alexander having now arrived at full age, took the reins of government into his own hands, and conducted the affairs both of peace and war with prudence and courage. It was not long before his courage was put to the trial. Haco king of Norway, having collected a fleet of one hundred and sixty ships, embarked with a numerous army, and sailed towards Scotland, in summer, A. D. 1263, most probably with an intention to recover such of the western isles as had formerly belonged to his crown, but had been wrested from it by the Scots. He made himself master of the islands of Arran and Bute, and afterwards landed his army on the coast of Cunningham. By this time Alexander had raised an army, with which he attacked the bold invaders of his country, at Largs, October 2. The battle was fierce and bloody; but victory at last declaring for the Scots, the greatest part of the invading army fell in the action or in the pursuit. To complete the misfortunes of the Norwegians, their fleet was dissipated, and many of their ships wrecked, by a storm, the day after the battle. Haco reached the Orkneys, where he landed, and soon after died, as it is said, of a broken heart (148). This defeat of the Norwegians was followed by the reduction of almost all the western islands, and the submission of Magnus king of Man, to hold his country of Alexander, and to furnish him with ten galleys, when demanded (149).

A. D. 1264  
Alexander  
sends aid to  
Henry III.

Alexander, now enjoying perfect tranquillity at home, sent a choice body of his subjects, under the conduct of John Comyn, John Baliol, and Robert Bruce, to the assistance of his father-in-law Henry III. against his revolted barons. These troops behaved bravely and suffered much, at the battle of Lewes: two of their leaders, John Comyn and Robert Bruce, were made prisoners, but soon obtained their liberty (150).

(147) *Rain. For. torn.* i. p. 753. *Chron. Mailros*, p. 223.  
(148) *Torval Hist. Norveg.* vol. i. 47. *Ford. l.* 12. c. 17. *Chron. Mail-*  
*ros*, p. 224. (149) *Ford. l.* 12. c. 18.  
(150) *M. Paris*, p. 669. *Hemling*, p. 567. *Knyght*, c. l. 2447.



Magnus king of Norway, discouraged by the disaster <sup>A. D. 1247.</sup> which had befallen his father, yielded all his rights to the western islands and the Isle of Man (A. D. 1266), to <sup>Western</sup> the crown of Scotland, for the sum of 4000 marks, to be <sup>Isles yielded</sup> paid in four years, and a quit-rent of 100 marks yearly (151). The Norwegians still retained the Orkney and Shetland islands.

Scotland enjoyed so perfect a peace during the rest of <sup>Great tran-</sup> the reign of Alexander III. which falls within this pe- <sup>quillity.</sup> riod, that it happily affords few materials for history. It was no small addition to the felicity of this good prince, that his queen was delivered of one son, who was named *Alexander*, A. D. 1263, and of another, who was named *David*, A. D. 1270 (152).

## SECTION II.

*The civil and military history of Britain, from the death of Henry III. A. D. 1272, to the death of Edward I. A. D. 1307.*

**T**HOUGH Edward I. eldest son of the late king, was at a distance from England when his father died, the greatness of his character secured his peaceable succession, and persons of all ranks swore fealty to him with much alacrity (1). In an assembly of the nobility held on the day after the royal funeral, the archbishop of York, the earls of Cornwall and Gloucester, were chosen regents of the kingdom; and this choice was confirmed in a more full assembly or parliament, in January A. D. 1273.

Accession of  
Edward I.

Edward was in Sicily, on his return from the Holy Land, when he received the news of his father's death, and of his own peaceable accession. Being informed at the same time, of the perfect tranquillity of his domini-

A. D. 1274.  
His corona-  
tion.

(151) Torfæ Hist. Norveg. vol. 4. p. 343.

(152) Chron. Mailros, p. 225. Bouce, l. 13.

(1) Rymeri Fædero, t. 1. p. 888. Walsingham, p. 41. Westmest. p. 352.

**A. D. 1274.** ons, he made no great haste to take possession of the crown. After spending some time at Rome, and other parts of Italy, he visited the court of France, and performed his homage for the territories which he held of that crown. Having suppressed an insurrection in Gascony, and settled some commercial disputes with the earl of Flanders, he embarked for England, landed at Dover, August 2, A. D. 1274, and was crowned at Westminster, on the 19th of the same month, together with his queen, Eleanor, the amiable and affectionate companion of his travels (2).

**First acts of Edward's government.** As England at this time enjoyed a profound peace, Edward very wisely seized that favourable opportunity of enquiring into the state of the lands and revenues of the crown; and into the conduct of the sheriffs and other officers, who had both defrauded the king and oppressed the people in the late reign (3). He was at no less pains to restore the internal police of the kingdom, and the vigorous execution of the laws, which the late troubles and the feeble administration of Henry had rendered contemptible. By the advice of his parliament, which met at Westminster in May A. D. 1275, many good laws were enacted, which have been ever since distinguished by the name of the *Statutes of Westminster* (4). But it was not long before Edward was interrupted in these salutary works of peace, and involved in scenes of war.

**Dispute with the prince of Wales.** The only vassal of the crown of England who had made any scruple of paying homage and swearing fealty to Edward at his accession, was Lewellyn prince of Wales. This prince had been several times summoned to come to court, and perform his homage; but, without directly refusing, he still delayed to do this, under various pretences. While Edward was employed in regulating the internal state of his kingdom, he winked at these delays; but that affair being now settled, he determined to bring this powerful and refractory vassal to obedience. The animosity of the prince of Wales against Edward was much increased by an incident which happened about this time. Lewellyn, who had been a faithful ally and zealous friend to the great earl of Lei-

(2) T. Walsingham, p. 45, 46. T. Wykes, p. 110.

(3) Chron. Dougl. p. 426.

(4) Coke's 2d Institut., p. 156.

cester, in the days of his prosperity, still continued to <sup>A. D. 1276.</sup> cultivate the friendship of that family, after their banishment out of England, and had even entered into a contract of marriage with Eleanor de Montfort, a daughter of that earl; but the young lady being intercepted on her passage from France to Wales, was detained a prisoner in the court of England (5). When the prince was again summoned to come and perform his homage, he made bitter complaints of the injury which had been done him, and refused to comply, unless his bride was immediately set at liberty, and the king's son, with several noblemen, were put into his hands as hostages for the safety of his person. This last demand was thought insolent and unreasonable, both by Edward and the English parliament, which met after Easter A. D. 1276, at Westminster, to consider of this affair. The parliament further declared, that Lewellyn had forfeited his dominions, by refusing to do homage to his superior lord; exhorted Edward to reduce him by force of arms; and for that purpose granted him a fifteenth of the moveables both of the clergy and laity (6).

In consequence of this advice and supply, Edward <sup>A. D. 1277.</sup> prepared in good earnest for the conquest of Wales. <sup>Invasion of Wales.</sup> Every thing being prepared for this expedition, in the spring A. D. 1277, Edward advanced towards Wales at the head of a great army; and with equal caution and courage penetrated into the heart of that country.

Lewellyn, as usual, retired with his army into the <sup>Peace with Wales.</sup> mountains of Snowden; but here he was soon assaulted by famine, which obliged him to sue to Edward for peace, which was granted, but on very hard terms. He agreed to pay 50,000 pounds for damages, and the expences of the war; to do homage to the crown of England, and even permit all the barons of Wales to do the same, except four; to give up all the country between Cheshire and the river Conway; and to settle suitable revenues on his two brothers Roderic and David (7), who had taken shelter in the court of England, and implored the protection of Edward against their own brother (8).

(5) Walsingham, p. 46, 47. T. Wykes, p. 104.

(6) Ann. Waverlicn. p. 231.

(7) T. Wykes, p. 105, 106. Rymer, vol. 2. p. 88.

(8) Trivit. Ann. 1277.

**A. D. 1277.** Though Lewellyn had been reduced to the necessity of submitting to these severe conditions, which hardly left him a shadow of sovereignty; Edward was not very rigorous in exacting the full performance of them. He remitted the payment of the 50,000 pounds (9); delivered to Lewellyn his betrothed wife; assisted at their marriage; and, conducting the prince to Westminster, he there performed homage to Edward, according to the late treaty, on Christmas day A. D. 1277, in presence of the bishops and barons of England (10).

**A. D. 1278.** The annals of England, in the two next years, are full of the severe punishments which were then inflicted upon the Jews for clipping the coin, and other iniquitous practices (11). An order was issued to seize the whole of that people in one day, the 12th November A. D. 1278 (12); and, after a very short trial, two hundred and eighty of them were hanged in London only, and all their lands, houses, money, and goods, to an immense value, were confiscated (13).

**Inquisition into the titles of the barons.**

Edward at the same time employed another method to fill his coffers, and increase the revenues of the crown; by appointing commissioners to examine the titles by which the barons and others held their lands. These commissioners, by a vigorous exertion of their authority, gave great trouble and vexation to many, brought a great deal of money into the exchequer, by fines and compositions for defective titles, and added many estates to the royal demesnes. But a stop was put to their career by the boldness of the earl of Warren; who appearing before these commissioners, and being desired to produce the instruments by which he held his estate, drew an old rusty sword out of its scabbard: "This," says he, "is the instrument by which my ancestors gained their estate, and by which I will keep it as long as I live." This answer being reported to Edward, he became sensible of the impropriety of pushing this inquisition any further, and wisely revoked the commission (14).

(9) Rymer, vol. 2. p. 92.

(11) Walsing. p. 48.

(13) M. West. p. 367.

(10) T. Wokes, p. 106.

(12) T. Wokes, p. 107.

(14) Ann. Waverley. p. 235.



But it was not long before Edward was called again <sup>A. D. 1278.</sup> into the fields of war, in which indeed he too much <sup>War with Wales.</sup> delighted. Lewellyn prince of Wales and his subjects were very uneasy in that state of subjection to which they were reduced; and this uneasiness was much increased by the insolence of the victorious English settled in the conquered country between Cheshire and the river Conway; and by the haughtiness of the lords marchers, who slighted all the complaints of the Welsh (15). David, brother of Lewellyn, dissatisfied with Edward, inflamed the resentment of his brother, and exhorted him to make another brave effort to shake off the English yoke, and recover the ancient freedom and independence <sup>A. D. 1281.</sup> of his country. Accordingly in the spring A. D. 1281, the Welsh flew to arms, and made inroads upon the English territories. Their first attempts were crowned with success: they took the lord Clifford prisoner, and gained some other slight advantages over the troops which were sent to oppose them (16).

Edward was not ill pleased with this fresh insurrection <sup>A. D. 1282.</sup> of the Welsh, as it furnished him with a plausible pre- <sup>Conquest of Wales.</sup> tence for making a total conquest of their country. In order to this, he summoned his barons and military tenants to meet him at Worcester about Midsummer; and having collected a great army from all parts of his dominions, he advanced towards Wales (17). Lewellyn, unable to face so great a force in the open field, retired into the fastnesses of Snowden, whither he was followed by Edward, who, seizing all the passes, resolved once more to reduce the Welsh by famine. As he imagined this would be a work of some time, he gave the command of the army to Roger Mortimer, and, retiring to the castle of Rudhlan, quietly waited the event. But the affair was brought to a speedier issue than he expected: for the Welsh having defeated a small party of the English who had rashly ventured over from the isle of Anglesey on a bridge of boats, were so much elated with this trifling success, that they left their fastnesses, and attacked the English in the open plain. They paid very dear for their presumption; for they received a total

(15) Powell's History, p. 344, &c.

(16) Walsing. p. 49. Annal. Waverlien. p. 234.

(17) M. West. p. 411. T. Wykes, p. 110.

A. D. 1282. defeat, on the 11th December A. D. 1282, Lewellyn himself, and two thousand of his men, being left dead on the field of battle (18). Prince David made his escape, and skulked about the country for some time in various disguises; but being betrayed and taken prisoner, he was conducted to Shrewsbury, tried by his peers (probably as earl of Derby), condemned and executed as a traitor (19). His head (with that of his brother) was exposed to public view on the walls of the tower of London, and his quarters sent to York, Bristol, Northampton, and Winchester. In this cruel manner did Edward shed the blood of the last of the ancient sovereigns of Wales, derived from so long a line of princes (20).

Effects of  
that conquest.

After this decisive victory, and the death of their princes, the Welsh made no further resistance, but tamely, though not without much inward sorrow and reluctance, submitted to the English yoke; and an end was put to that long and bloody quarrel between the English and ancient Britons, which had subsisted more than eight centuries. This, however shocking it was to the brave and independent spirits of the Welsh, was a very happy event, as it put a stop to those torrents of blood, and scenes of desolation, occasioned by the mutual enmity of the two nations; and as it made way for the introduction of the English laws, learning, and arts, into Wales. Some years after the conquest of Wales, Edward bestowed the title of *Prince of Wales* on his eldest son Edward, which hath ever since been the title of the eldest sons of the kings of England.

Peace.

The final reduction of Wales produced a profound peace, which continued several years without the least interruption, and gave Edward leisure to make further improvements in the laws and government of England, which will be taken notice of in their proper place (21).

Edward  
spends three  
years in  
France.

Since the accession of Edward to the throne of England, he had been several times called upon to attend the kings of France as one of their vassals, by virtue of his territories on the continent; but being engaged at home, he had sent excuses, which were admitted. Be-

(18) Powell's Hist. Wales.

(19) T. Wykes, p. 111.

(20) Knyghton, col. 2465. T. Walsing. p. 50, 51, 52. Chron. Tri-  
vet. an. 1281, 82, 83. Annal. Waverhen. p. 225, Sec. Hemmingford,  
l. 1. p. 7. 13.

(21) Chap. 3.

ing now at leisure, and receiving a summons from Philip the Fair, who had lately mounted the throne of France, to come and perform his homage, and being also chosen mediator between the competitors for the crown of Sicily, he resolved to visit the continent. Having appointed the earl of Pembroke regent of the kingdom, he set sail for France on the 24th June A. D. 1286 (22), attended by several English bishops and barons. The transactions of Edward during his long residence abroad, belong more properly to the history of his foreign dominions than to that of England. It is enough to say, that he was chiefly employed in prosecuting some claims which he had to certain territories in France, as heir to his mother Eleanor of Provence, and in putting an end, by his mediation, to the long and bloody dispute between the houses of Anjou and Arragon about the crown of Sicily; and that in both these affairs he acted with great wisdom, honour, and success. He was by these things, however, detained rather more than three years in France, and did not arrive in England till the 12th of August A. D. 1289 (23).

Edward's long absence from England had been attended with many inconveniencies. It had encouraged the Welsh, not yet well reconciled to the English government, to raise an insurrection, which was suppressed with some difficulty. The kingdom was a scene of much violence and confusion; particularly one Thomas Chamberlain, a gentleman of desperate fortunes (in conjunction with several other desperadoes), was guilty of a most outrageous act of villainy, by setting fire to the town of Boston in Lincolnshire, in the time of a great fair, and plundering the merchants and townsmen of money and goods to an immense value, in the confusion occasioned by the fire. Chamberlain was taken and hanged; but could not be prevailed upon to discover any of his accomplices (24). The very fountains of justice were polluted, and loud complaints were made of the corruption and venality of the judges. The king, soon after his return, called a parliament to examine these complaints; which were found to be true. Sir Thomas Weyland, the chief justiciary, being found guilty, was banished.

A. D. 1286.

A. D. 1289.  
Consequences of the king's absence.

(22) M. West. p. 412.

(23) T. Wykes, p. 118. Hemingford, t. 1. p. 14. Annal. Waverlicn.

P. 239.

(24) Heming. vol. 1. p. 16, 17.

**A. D. 1289.** the kingdom; the other judges of both benches, of the Jews, of the forests, the justices itinerant, several sheriffs and bailiffs, and others concerned in the administration of justice, being also found guilty, were fined, according to the degrees of their demerits, or their wealth; which fines are said to have brought no less than one hundred thousand marks into the royal treasury (25). The Jews, too, seem to have taken occasion, from the king's absence, and the venality of the judges, to push their exactions to a greater length than ever; for the cry against them was now become so vehement and universal, that the parliament assembled at Westminster on the 14th of January A. D. 1290, came to a resolution to banish the whole race of these greedy and usurious Israelites out of the kingdom. In consequence of this resolution, all their real estates were confiscated, and no fewer than fifteen thousand Jews were at this time expelled from England (26).

The long  
peace be-  
tween Eng-  
land and  
Scotland  
terminated.

The kingdoms of England and Scotland had continued many years in the most perfect peace and harmony. The two royal families, strictly united by the ties of blood, had maintained a constant intercourse of friendly visits and mutual good offices; the coin of each kingdom had been current in the other, and the merchants had enjoyed the greatest freedom of trade in both. But this happy period of peace and harmony was now near an end, and was succeeded by the most fierce and lasting animosities, and a long series of cruel and destructive wars, which brought many calamities on both kingdoms. In order to discover the fatal source of these national animosities and wars, it will be necessary to take a view of some events which had lately happened in Scotland.

Occasion of  
this rup-  
ture.

Alexander III. king of Scots, who was killed on the 19th of March 1286, by a fall from his horse, near Kinghorn, and left no children, but one grandchild, a female, an infant, and in a foreign country. This was Margaret, the only child of Alexander's daughter of the same name, late queen of Norway, the undoubted heiress of the crown of Scotland, and recognised as such by the states of that kingdom, which met about three weeks after the king's death. The same convention of

(25) T. Wykes, p. 121.

(26) T. Wykes, p. 122.



estates made choice of six noblemen to be regents of the kingdom during the absence of their young queen, then only about three years of age (27). For some time these regents acted with wisdom and unanimity, and their government gave universal content; but the earl of Buchan, one of the regents, dying, and the earl of Fife, another of them, being murdered, disputes arose among the remaining four; and every thing tended to confusion. Eric king of Norway, hearing of these distractions, began to be apprehensive for the interests of his daughter, the queen of Scotland; and in order to secure to her the possession of that crown, he applied by ambassadors to Edward king of England, her grand uncle, for his assistance and protection (28). This application was very agreeable to Edward; who had already formed a scheme for uniting the two British kingdoms, by the marriage of his eldest son Edward with the young queen of Scots; and had even privately procured a dispensation from the pope for that purpose. Conferences were held at Salisbury between the ambassadors of the king of Norway, some of Edward's ministers, and plenipotentiaries from the regency of Scotland; in which all the preliminaries for the young queen's voyage into her dominions were settled (29).

Edward, thinking all things now ripe for opening his grand scheme, sent a very honourable embassy to the parliament of Scotland, met at Brigham, near Kelso, on the 18th of July 1290, to make a formal demand of their young queen in marriage with his son, and with full powers to settle all the conditions of the marriage. The parliament of Scotland readily agreed to the marriage, as advantageous to both kingdoms; but, in settling the conditions, they took every possible precaution to preserve the independency of their country, and to guard against every danger that might arise from so strict an alliance with such a powerful and ambitious neighbour. It was agreed, That the Scots should enjoy all their ancient laws, liberties, and customs:— That in case Edward and Margaret should die without issue of the body of Margaret, the kingdom of Scot-

A. D. 1290.

Marriage between prince Edward and the infant queen of Scotland negotiated.

(27) Buchan. Hist. Scot. l. 8. p. 132. Rymeri Fœd. t. 2. p. 266. 272. 324. 327. 339.

(28) Rymeri Fœd. t. 2. p. 416.

(29) H. Boeth. p. 191. Rymeri Fœd. t. 2. p. 431, &c.

A. D. 1290. land should revert, free, absolute, and independent, to the next heir:—That in case Edward should die before Margaret without issue by her, the body of Margaret should be remitted to Scotland free and independent:—That the military tenants of the crown, and other subjects, should not be obliged to go out of Scotland, to do homage, to swear fealty, to elect or be elected to any office, or to do any service that had been usually performed in Scotland:—That the kingdom of Scotland should have its chancellor, officers of state, courts of justice, &c. as before:—That a new great seal should be made, and kept by the chancellor, with the ordinary arms of Scotland, and the name of none but the queen of Scotland engraved upon it:—That all papers and records belonging to the crown and kingdom of Scotland, should be lodged in a secure place within that kingdom, under the seals of the nobility:—That all parliaments called to treat of the affairs of Scotland, should be held within that kingdom:—That no duties, taxes, or levies of men, should be raised in Scotland, but such as had been usual:—That the king of England should pay the pope one hundred thousand pounds for the use of the holy wars:—and, That himself and his dominions should be excommunicated, and laid under an interdict, if he did not religiously observe all these articles (30). These articles were agreed to and confirmed by Edward: and as this is the first plan which was formed for the union of the British crowns, it is a great curiosity. The Scots in these times are represented by some of our historians as an ignorant and barbarous people; but it is hard to say what better precautions could have been taken by the wisest nation, in the most enlightened age, for securing the freedom and independency of their country.

Death of  
the infant  
queen of  
Scotland.

All these preliminaries being settled to the mutual satisfaction of both nations, Sir Michael Scot and Sir David Weems were sent as commissioners from Scotland to Norway, to receive the young queen, and conduct her into her own dominions (31). But when all Britain was big with expectation of the arrival of this princess, who was to be the bond of lasting peace and union, a rumour

(30) Rymer, vol. 2. p. 482, 483, 484.

(31) Buchan. Hist. Scot. l. 8. p. 132.

of her death was first heard, and afterwards more certain intelligence was received, that she had died in Orkney, where, being sick, she had landed (32). A.D. 1290.

It will be difficult to find in history the death of any one person attended with more fatal consequences than that of this infant queen. It dissipated in a moment all the pleasing hopes of peace and union, and entailed long and bloody wars upon both the British kingdoms, which brought the weakest of them to the very brink of ruin. Fatal consequences of her death.

Edward, in the course of the late negotiations, had gained a very powerful party in Scotland; and, amongst others, Fraser, bishop of St. Andrew's, one of the regents, from whom he received the earliest intelligence of the young queen's death, with an advice to raise an army and approach the borders. He readily complied with this advice, which was so agreeable to his own secret views. But as he was conducting his army towards Scotland, he met with a very grievous affliction by the death of his beloved queen Eleanor, the faithful partner of all his cares and joys, and companion of all his travels. Ambition on this occasion yielded to tenderness and grief: he suspended his expedition, to accompany the remains of his queen, from Grantham in Lincolnshire, where she died, to Westminster, where she was interred with great funeral pomp (33). A.D. 1291.  
Death of queen Eleanor.

In the mean time Scotland was a scene of great confusion. The two chief competitors for the crown, John Baliol and Robert Bruce, were eagerly employed in strengthening their parties, and preparing their forces to assert their claims. It soon became visible to all the world, that this dispute could not be terminated within the kingdom without a fierce and destructive civil war. To avoid this, the regents, the states, and even the competitors, agreed to refer this great controversy to Edward king of England; who had always professed the greatest respect and affection for the Scotch nation; who had lately acquitted himself with so much honour as an umpire between the competitors for the crown of Sicily; and who had power sufficient to put his sentence in execution. The bishop of St. Andrew's was sent into Edward chosen judge in the dispute about the crown of Scotland.

(32) M. Westmonst. p. 381. W. Heming. t. i. p. 30.

(33) M. Westmonst. p. 381. T. Walling. p. 54, 55.

**A.D. 1291.** England, to inform Edward of this reference, and in-  
 treat him to take upon him the office of an umpire be-  
 tween the competitors for the crown of Scotland (34).

Edward's  
 artful con-  
 duct.

This office Edward accepted with the greatest plea-  
 sure, and managed with the most admirable policy; ne-  
 ver disclosing his designs till he was almost secure of their  
 success, and through the whole proceedings observing all  
 the external shews and forms of justice, however much  
 the essentials of it were violated.

Assembly  
 at Norham.

In consequence of his office of arbitrator, he sum-  
 moned the states of Scotland, and the competitors for  
 the crown, to meet him at Norham, a small town on  
 the south banks of the Tweed, a few miles from Ber-  
 wick; and, that they might not hesitate at passing that  
 river, he made a declaration, that it should not be  
 drawn into precedent (35). Edward came to the  
 place of meeting, attended by a splendid court and  
 powerful army.

Edward  
 claims the  
 superiority  
 of Scot-  
 land.

When all were assembled, on the 10th of May, A.D.  
 1291, Roger Brabazon, chief justiciary of England,  
 made a speech to the states of Scotland; in which, after  
 a very smooth exordium, he told them, that king Ed-  
 ward was come to determine the great cause concerning  
 the crown of Scotland, in virtue of his right of supe-  
 riority and direct dominion over that kingdom, and re-  
 quired that this right should be immediately recognised,  
 and solemnly acknowledged, by the states, as the first  
 step to be taken. The states, greatly astonished at this un-  
 expected demand, asked some time to consider of it, and  
 were allowed till the next day.

Grounds  
 of that  
 claim.

Edward had been at great pains in collecting argu-  
 ments in support of his pretensions to the superiority  
 over Scotland, which he hoped would soon draw after it  
 the possession of that kingdom. A paper, containing  
 these arguments, was read to the assembly at Norham.  
 But after all the pains which he had taken, that paper  
 had appeared to many a very weak performance, more like  
 the work of a chicaning attorney than that of a great king.  
 It consists chiefly of scraps out of abbey chronicles, and  
 other English histories, many of them very unfairly

(34) Buchanan, l. 8. p. 134. Fordun, l. 11. c. 32. W. Heming,  
 l. p. 32, 33.  
 (35) Rymet, vol. 2. p. 528. Fordun, l. 11. c. 10.



quoted, enumerating all the defeats which the Scots had received from the English, and all the disadvantageous treaties which they had made with them; together with a minute recapitulation of all the homages which had been paid by the kings of Scotland to the kings of England; though all the world knew, that these homages had been paid for the lands which the Scotch kings possessed or claimed in England, and not for the kingdom of Scotland. Edward was not even ashamed to mention the legendary stories of Brute and his sons, and of king Athelstan's cutting a yard deep with his sword into a rock near Dunbar, by the assistance of his good friend St. John of Beverley, as proofs of the superiority of the kings of England over Scotland (36). He insisted at great length on the homage performed by William the Lion, king of Scots (when he was a prisoner), to Henry II. for the whole kingdom of Scotland, as one condition of his being set at liberty; but with the greatest dissimulation, he took no notice of the renunciation of that homage and superiority granted by Richard I. to the same king William (37). It had been easy for the states of Scotland to have answered these weak arguments, if they had been at liberty; but they were entirely in the power of Edward; and therefore, at the meeting on the 11th of May, they earnestly requested a longer delay, that they might have an opportunity of consulting with the other bishops and barons who were absent, about a matter of so great importance. With much difficulty they obtained a delay of three weeks; and Edward appointed them to meet him again at the same place on the 2d day of June.

In the mean time Edward was not idle, but employed every method in his power to strengthen his party in Scotland, and both by threats and promises to bring as many as possible to acknowledge his superiority (38). According to appointment, the guardians of Scotland, with the competitors for the crown, and many barons and prelates, met on the 2d of June, in a plain opposite to the castle of Norham, where Edward then lay.

(36) Walsing. p. 81. Knyghton, col. 2484, &c.

(37) Pryne, vol. 3. p. 489. Rymer. Fœd. 1. 2. p. 559. Walsing. p. 55, 56.

(38) Hemingford, vol. 1. p. 33.

A. D. 1291.

Edward's  
superiority  
acknowledged.

A. D. 1291. The bishop of Bath and Wells, chancellor of England, was sent by Edward to represent him in that meeting, and report the result of their deliberations. Some of the Scots barons represented, that the question concerning the superiority of England could not properly be determined until Scotland had a king, his honour and interest being so much concerned (39). But the competitors for the crown, afraid of offending Edward, by disputing a point which they saw he was resolved to carry, consented to acknowledge the superiority of the crown of England over the crown and kingdom of Scotland; and, by their influence and example, brought the rest of the states to acknowledge the same, or to remain silent (40). Edward was not even contented with this acknowledgment, but obliged all the competitors to give him letters-patent, under their hands and seals, owning his superiority, and promising to submit to his decision (41). Thus did Edward, by his power and policy, gain this great point, on which his heart was very much set, and with which he was greatly delighted. How short-sighted is the greatest human wisdom! Little did this prince imagine, that, instead of entailing the superiority of a kingdom, he was entailing nothing but a bloody and destructive quarrel, on his country and his posterity.

Edward demands and obtains the castles.

No sooner had Edward succeeded in his first pretension, than he disclosed another. That he might have a kingdom to bestow on the person to whom it should be adjudged, he demanded to have all the royal castles and places of strength in Scotland put into his hands; and this demand was granted (42).

Competitors for the crown of Scotland.

The king of England, having thus obtained every thing he could desire, proceeded to take some steps towards the decision of this great cause, and to determine which of the competitors had the best right to the crown of Scotland. These competitors were now multiplied to the number of thirteen; some of them probably stirred up by Edward, in order to perplex the cause, and others perhaps prompted by their own vanity. The names of these competitors were as follows: John Baliol lord of Galloway, Robert Bruce earl of Annandale, John Hastings lord of Abergavenny, Florence earl of

(39) Walsing. p. 55.

(40) Rymer, vol. 2. p. 248.

(41) Rymer, vol. 2. p. 279. Heming. t. 1 p. 33. 34. Walsing.

p. 56, 57.

(42) Rymer, vol. 2. p. 536.

Holland, Eric king of Norway, Robert Dunbar earl of <sup>A. D. 1291.</sup> March, John Cummin earl of Badenoch, William de Vefey, Robert de Pinkeny, Nicolas de Soules, Patrick Galghtly, Roger de Mandeville, Robert de Rofs (43). The titles of the ten last of these competitors were either derived from bastard branches of the royal family, or so trifling or ill supported, that they do not deserve a place in history. The three first were the only persons who had any plausible pretensions: and in order to understand the foundations of their respective claims, it will be necessary to take a view of a part of the genealogy of the royal family of Scotland.

Henry prince of Scotland died before his father king David, and left three sons, Malcolm, William, and David. Malcolm succeeded his grandfather David, and died without issue. William succeeded his brother Malcolm, and left issue; but his posterity were now extinct, the last of them being Margaret of Norway, the late infant queen of Scotland. It is undeniable, therefore, that the crown of Scotland was now devolved to the posterity of prince David, younger brother of the kings Malcolm and William. David had been earl of Huntington in England, and left three daughters, Margaret, Isabella, and Ada. Margaret, the eldest daughter of earl David, married Allan lord of Galloway, by whom she had an only daughter, Dervorgilla, married to John Baliol, by whom she had John Baliol, the competitor; who, according to this account, was great-grandson to David earl of Huntington, by his eldest daughter. Isabella, the second daughter of earl David, married Robert Bruce, by whom she had Robert Bruce the competitor, who was grandson to the earl of Huntington by his second daughter. Ada, third and youngest daughter of earl David, married John Hastings, by whom she had John Hastings, the competitor, who was grandson to that earl by his youngest daughter. Hastings could have no pretensions to the whole succession of David earl of Huntington while the posterity of his two eldest daughters were in being; all he pretended to therefore was, that the kingdom of Scotland should be divided into three parts, and that he should inherit one of them, as heir to one of the three daughters of earl David. But the kingdom being declared impartible, the pretensions of Hastings were excluded,

A. D. 1291. and there remained only two competitors, Baliol and Bruce. Baliol claimed the whole kingdom of Scotland, as heir to David earl of Huntington by his eldest daughter; but Bruce pleaded, that though he was descended from the second daughter; yet, being grandson to the earl of Huntington, he ought to be preferred before Baliol, who was only great-grandson to that earl. The whole controversy, therefore, between these two chief competitors turned upon this hinge, Whether the more remote by one degree, descended from the eldest daughter, or the nearer by one degree, descended from the second daughter, had the best title? To examine this, and every other question that might arise in this cause, it was agreed, that John Baliol and Robert Bruce should each name forty commissioners, to whom Edward might add twenty-four; which commissioners should sit at Berwick, and report their opinion to Edward, who was finally to judge and pronounce sentence (44).

A. D. 1292.

Determination in  
favour of  
John  
Baliol.

These commissioners, appointed to examine the merits of this great cause, met at Berwick, for the first time, on the 2d of August A. D. 1292; and after three months spent in various meetings and deliberations, they gave their opinion in favour of Baliol. All things being now ripe, Edward appointed the 17th of November for pronouncing his award and judgment; and accordingly on that day, in the great hall of the castle of Berwick, in presence of all the prelates, earls, barons, and great men, of both kingdoms, he adjudged the crown and kingdom of Scotland to John Baliol (45). But this unhappy prince very soon found, that a dependent crown was no very valuable possession.

Severity of  
Edward.

As soon as Edward had thus obtained the superiority of the crown and kingdom of Scotland, he proceeded to exercise it with unrelenting severity, and in its full extent. He obliged king John, on the day after the cause was determined in his favour, to perform his homage, and swear fealty to him and his heirs, kings of England, for the whole kingdom of Scotland: after which he permitted him to go and take possession of his kingdom (46). But that his royal vassal might not forget his dependency by sitting too long unmolested on his throne, Edward

(44) *Pymr*, vol. 2. p. 375.

(45) *Id. ibid.* 598.

(46) *Rymr*, *Fœd. Rob.* 2. p. 523.



recalled him into England immediately after his coronation, and made him renew his homage and fealty at New-castle, on St. Stephen's day, A. D. 1292. Besides this, that John might not imagine that this humiliating ceremony was all he had to suffer, Edward hastened to load him with fresh indignities; and in a little more than one year this shadow of a king received no fewer than six citations to appear before the king of England in his parliament, to answer the complaints of several private persons, on matters of no great importance (47).

In consequence of these citations, king John attended Edward in his parliament after Michaelmas A. D. 1293, at Westminster: and when one of the complaints against him came to be tried, he offered to answer by his attorney: but this privilege was not granted him; and, after a long struggle, he was obliged to descend from his seat, and stand at the bar like any common delinquent (48). Even the tame spirit of Baliol was roused by this affront: he felt the deepest resentment, and secretly resolved to embrace the first favourable opportunity of throwing off a yoke which was become intolerable. It was not long before a very promising opportunity offered.

While Edward was eagerly pursuing his designs on Scotland, an accidental scuffle happened between the crews of an English and French ship, about a spring of fresh water near Bayonne. This scuffle, in which a French sailor was killed, being reported in both countries, became a national quarrel, and produced a kind of piratical war, trifling indeed in its beginnings, but very bloody and destructive in its progress. A fleet of two hundred Norman ships, sailing towards the south, seized all the English ships which they met with in their passage, hanged the crews, and made prize of the cargoes. The inhabitants of the cinque-ports hearing of this, fitted out a fleet of sixty stout ships, well manned, and waited for the enemy in their return. The two fleets met; and after an obstinate struggle the English obtained a complete victory, and took or destroyed the greatest part of the French fleet. As no quarter was given, the

A. D. 1292.

A. D. 1293.

Indignities offered to the king of Scotland.

War with France.

(47) Rymer, vol. 2. p. 605—616

(48) Ryley Placet. Parl. p. 152, 153

A. D. 1294. action was very bloody; and the French, it was pretended, lost 15,000 men (49).

Edward  
summoned  
by the king  
of France.

The two monarchs being otherwise employed, had not directly intermeddled in this quarrel; but this last affair was too serious to be overlooked. Philip the Fair, king of France, sent ambassadors into England, to demand reparation; and Edward, not willing at this time to break with France, dispatched the bishop of London to that court, with several proposals for an accommodation. But all these proposals were rejected; and the war continuing, Philip cited the king of England, as duke of Guienne, to appear before him in his court of Paris (50). This citation was given to Edward in November A. D. 1294, about a year after he had treated the king of Scotland with so great insolence in his parliament at Westminster: so that while he made the unhappy Baliol feel all the weight of feudal subjection, he was treated with the same haughtiness by his own liege lord, the king of France.

A. D. 1295.  
Alliance  
between the  
kings of  
France and  
Scotland.

The king of Scotland, seeing every thing tending to a rupture, determined to seize that opportunity of throwing off the English yoke, by entering into a strict alliance with the king of France. In order to this, he sent ambassadors into France, to negotiate a treaty with that crown; which was signed and sealed on the 23d of October A. D. 1295. By this treaty, the kings of France and Scotland agreed to assist one another against their common enemy the king of England, and not to make peace but by common consent (51).

Edward de-  
ceived by  
the king of  
France.

Edward did not think fit to obey the citation he had received from France; and yet, unwilling to come to an open rupture with that court, he sent his brother Edmund earl of Lancaster to Paris to negotiate an accommodation. Philip appeared exceedingly incensed against Edward's subjects in Guienne (who had joined with the English), and would listen to no reasonable terms. But when the earl of Lancaster was ready to depart, the queen-dowager, and the reigning queen of France, interposed their good offices, and proposed, that if Ed-

(49) Walsley, p. 48—60. Hume, v. 1. p. 39, 40, &c.

(50) Walsley, p. 40. Hume, v. 1. p. 40, 1294.

(51) Hume, v. 1. p. 40. Hume's Collect. vol. 3 p. 602, &c.  
Hume, v. 1. p. 16, 17.

ward would surrender Guienne into the hands of Philip, <sup>A. D. 1295.</sup> in order to satisfy his point of honour, it should be immediately restored. The earl of Lancaster, with his brother's consent, signed a treaty with the two queens, on these terms, which was confirmed by the verbal declaration of king Philip, before several witnesses. In consequence of this treaty, the dukedom of Guienne was surrendered to the constable de Nisle, who took possession of it in the name of the king of France. But when the earl of Lancaster demanded the restoration of that dukedom, according to the treaty with the two queens, he received a flat denial. Edward was again summoned to appear before Philip in his court at Paris; and upon his not appearing, the court declared, he had forfeited Guienne; which was accordingly confiscated (52). Thus Edward, who had used so many artifices to gain the superiority of Scotland, lost Guienne, his undoubted property, by a shameful fraud.

Though Edward was both ashamed and enraged, to be thus outwitted by the court of France, he did not take any hasty step, but acted with his usual prudence. His first care was to collect money to defray the expences of a war with France and Scotland, which he saw was unavoidable. In order to this, he seized the large sums of money which had been collected for the holy war, and were deposited in several monasteries (53); and his parliaments granted him very large supplies. At one time the clergy granted him one half, the merchants one sixth and the rest of the laity a tenth, of all their moveables (54). Besides all this, he violently seized all the wool and hides which were ready for exportation, promising to pay the owners at a convenient time. Edward being, by these and various other means, possessed of the sinews of war, determined to carry it on with great vigour.

This wise prince, though greatly irritated against the king of France, on account of his gross prevarication in the affair of Guienne, the invasion of England and burn-  
Edward de-  
lays his in-  
vasion of  
France, in  
order to  
conquer  
Scotland.

(52) Rymer, vol. 2. p. 620, &c. Walsing. p. 61. Heming. t. 1. p. 41, 42.

(53) T. Wyke, p. 126. Heming. t. 1. p. 51, 52.

(54) M. Wall. p. 394, 395. Walsing. p. 62. Heming. t. 1. p. 53,

**A. D. 1295.** ing of Dover, A. D. 1295, and many other injuries, resolved to make his greatest efforts against Scotland. He contented himself, therefore, with sending his brother Edmund with a small army into Guienne to preserve the few places he still possessed in these parts, and to keep the war alive in France, while he resolved to attempt the total conquest of Scotland (55).

**A. D. 1296.** Edward, that he might not want a plausible pretence  
**War with** for invading Scotland, required king John to deliver the  
**Scotland.** castles of Berwick, Jedburgh, and Roxburgh, into his hands, as a security for his peaceable behaviour during the war with France (56). John having concluded the above-mentioned treaty with the king of France, and having also received from the pope an absolution from the oaths of fealty which he had sworn to Edward, refused to comply with this demand; and, as a further evidence of his hostile dispositions, he banished all Englishmen out of Scotland. In the spring of the year 1296, Edward began to move northward with his army; and arriving at Newcastle in the beginning of March, he there held a parliament, to which king John received a citation, which he entirely slighted; and hostilities immediately commenced between the two kingdoms (57).

**Advantages** The king of England began this war with every advan-  
**of Edward.** tage that could promise certain and complete success. He excelled in military skill and courage, and conducted a powerful, united people, against a weak dispirited nation, headed by an unpopular and unwartlike prince. To render this match still more unequal, Edward was joined by Robert Bruce earl of Carrick, and his son, of the same name, who was afterwards king of Scotland, with several barons of their party. King John was even so much despised by that part of his subjects who acknowledged his authority, that they did not think fit to trust him with the conduct of the war, but chose twelve guardians, who were to have the chief direction of all affairs (58).

**Successes of** In the beginning of the war the Scots had some success.  
**the Scots.** Their fleet defeated an English squadron which blocked up Berwick by sea, and sunk sixteen of their ships;—

(55) Walsing. p. 63, 64.

(56) Rymer, vol. 2. p. 692. Walsing. p. 64.

(57) Heming. vol. 1. p. 84.

(58) *Id. ibid.* p. 75.



the castle of Werk was betrayed to them by its governor; and a thousand men whom Edward sent to preserve it, falling into an ambush, were cut in pieces;—a small army of Scots broke into Northumberland and Cumberland, plundered the country, and burnt several monasteries, and the suburbs of Carlisle (59).

But these slight successes were followed by a long train of grievous and irreparable losses. Edward crossing the Tweed at Coldstream without opposition, invested Berwick; which he took by a stratagem, on the 30th of March, and put all the numerous garrison to the sword (60). The castle of Roxburgh was soon after surrendered by James, steward of Scotland, who submitted, and swore fealty to Edward. The earl of Warrenne, with a large detachment of the English army, besieged the castle of Dunbar; and the Scots army, which is said to have amounted to 40,000 foot and 500 horse, approaching to raise the siege, a battle was fought near that place, April 27, in which the Scots received a dreadful overthrow, leaving (as the English historians affirm) ten thousand men dead on the field of battle (61). This terrible defeat entirely dispirited the Scots; the castles of Edinburgh and Stirling surrendered almost without resistance; and the whole south of Scotland was subdued before Midsummer. Edward, determined to pursue his advantage, directed his march northward, having received a strong reinforcement of Welsh and Irish troops (62).

The unfortunate Baliol, after the fatal battle of Dunbar, had retired with the shattered remains of his army beyond the river Tay. But, distrusting the fidelity of his own troops, and despairing of making any effectual resistance, he resolved to throw himself upon the mercy of the conqueror. He found means to communicate this resolution to Edward; who sent Anthony Beck, bishop of Durham, to confirm him in his design, and conduct him into his presence; and that artful prelate, encouraging the fallen monarch with hopes of favour, brought him before the king of England, on the 2d of July, at a place called *Stroutharrack* (63). At this inter-

A. D. 1296.  
Greater  
victories of  
Edward.

King John  
surrenders.

(59) Trivet, p. 88. Heming. l. 1. p. 87, 88. Knyghton, col. 2478, 2479.

(60) Heming. vol. 1. p. 89—97.

(61) M. West. p. 404. Walsing. p. 67.

(62) Heming. vol. 1. p. 96.

(63) Hæstor Beeth. Hist. l. 14.

A.D. 1296. view, the two kings discovered their real characters, John behaving with the most abject meanness, and Edward with the most unrelenting selfishness. He obliged Baliol to make a solemn surrender, by letters-patent under his hand and seal, of his whole kingdom, and royal dignity, into his hands (64); after which he sent him prisoner to the tower of London. This pusillanimous and unfortunate prince had enjoyed so little peace and comfort since his accession to the throne, through the continual insults of Edward, and the disaffection of his own subjects, that he seems to have lost all relish for royalty, and never more intermeddled with affairs of government. After remaining some years a prisoner in England, he was sent to his own estate in France, where he died in a private station, at an advanced age (65).

A.D. 1297. Edward shewed as little lenity to the kingdom as to the severity of Edward to the Scots. He sent all the nobility who fell into his hands prisoners into England; he destroyed or took away all the public records; he carried off the regalia, and that fatal chair in which their kings had been crowned, and for which they had such a superstitious veneration; and, in a word, he did every thing in his power to obliterate every monument of their former independency. All the chief offices of the kingdom were bestowed on Englishmen. John de Warrenne earl of Surry was appointed governor, with a sufficient force, as it was believed, to keep the country in subjection: and every thing being settled to his mind, Edward returned with the bulk of his army into England; concluding, that he had made a final conquest of Scotland (66). But the sequel will show how much he was mistaken.

War with  
France.

While Edward was employed in Scotland, the war in Guienne had languished; but being now at leisure, he resolved to attempt the recovery of that province with all his power. On this occasion, however, he changed his plan of operations; and, instead of sending an army into Guienne, which was remote, he proposed to make a formidable attack upon France from the side of Flanders. In order to this, he concluded treaties with the emperor, the dukes of Austria and Brabant, the earl of

(64) Rym. Fœd. t. 2. p. 718. Heming. t. 1. p. 99, &c. Walsing.  
p. 68. (65) Rymer, vol. 2. p. 848.

(66) Walsing. p. 68. Trivet. p. 299. Heming. t. 1. p. 103.

Flanders,

Flanders, and several other princes on the continent, who <sup>A.D. 1297.</sup> engaged, for certain sums of money, to furnish him with troops for his intended invasion of France (67).

The great difficulty was, to find money sufficient to <sup>Parliament.</sup> set this great machine in motion. He assembled a parliament, and obtained an eighth of their moveables from the cities and boroughs, a twelfth from the rest of the laity, and after a long and violent struggle, a fifth from the clergy (68).

But this haughty prince soon found, that the clergy <sup>Edward</sup> were not the only persons who dared to dispute his com- <sup>quarrels</sup>mands; for having appointed Humphrey Bohun high <sup>with the</sup> constable, and Hugh Bigod earl marshal of England, to <sup>constable</sup> command a small body of troops which he designed to <sup>and mar-</sup> send into Guienne, to create a diversion on that side, these noblemen refused to obey the appointment, alleging they were not obliged to serve but where the king was in person. This refusal brought on a violent altercation between the king and the high constable; in the course of which, Edward, transported with rage, cried out, "By the eternal God, sir earl, you shall either go or hang;" to which the other replied, with equal fierceness, "By the eternal God, sir king, I will neither go nor hang;" and immediately left the court, accompanied by the earl marshal and thirty other barons (69).

Though Edward was a prince of strong passions, his <sup>Edward's</sup> great prudence kept them within due bounds; and he <sup>modera-</sup> wisely concealed his resentment against the two earls, until they became so haughty that they refused to permit the king's officers to raise either men or money within their territories (70). Even then, being intent on his foreign expedition, he contented himself with depriving them of their high offices, and appointing others in their room (71). That he might leave his other subjects in good humour, he made a speech to the nobility, excusing his illegal exactions by the necessity of his affairs; solemnly promising, that at his return he would redress all grievances, and make compensation for all their losses;

(67) M. West. p. 421. Rymer, vol. 2. p. 761.

(68) M. West. p. 422. Heming. t. 1. p. 105—110.

(69) Heming. vol. 1. p. 112.

(70) Id. t. 1. p. 113.

(71) Heming. t. 1. p. 114.

A. D. 1297. and that he would for the future strictly observe the great charter of their liberties (72).

Expedition  
to the con-  
tinent.

Having appointed his son prince Edward regent of the kingdom, he embarked at Winchelsea, on the 22d of August A. D. 1297, and three days after landed at Sluys, with an army (as some historians affirm (73)) of 50,000 men. The success of Edward in this expedition was by no means answerable to his immense expences and mighty preparations. His allies, having received his money, were in no haste to furnish him with troops. The inhabitants of the great towns in Flanders were more in the interests of France than of their own sovereign: Philip had already defeated the Flemings in the battle of Furnes, and taken the towns of Lisle, St. Omer, Courtrai, and Ypres. In this situation of affairs, and the season far advanced, Edward found he could perform nothing worthy of his great name and high expectations, and was glad to conclude a truce with Philip, and refer all their differences to the arbitration of the pope. Having spent near eight months in this expensive and unfortunate expedition, he returned to England in March A. D. 1298, where his presence was much wanted (74).

Revolution  
in Scotland  
by Sir Wil-  
liam Wal-  
lace.

If Edward gathered no laurels on the continent in his late expedition, those which he had before gained by the conquest of Scotland were entirely blasted by a very sudden and surprising revolution, which happened in that kingdom in the course of this year. The chief instrument of this great revolution was the celebrated Sir William Wallace, a young gentleman of an ancient family, but small fortune, in the shire of Ayr. Wallace is represented by the Scotch historians as the model of a perfect hero, superior to the rest of mankind in bodily stature, strength, and activity: in bearing cold and heat, thirst and hunger, watching and fatigue; no less extraordinary in the qualities of his mind, being equally valiant and prudent, magnanimous and disinterested, undaunted in adversity, modest in prosperity, and animated by the most ardent and unextinguishable love of his country (75). This extraordinary person, having his resentment against the enemies of his country sharpened

(72) Heming. t. 1. p. 114.

(73) Knyghton, col. 2512.

(74) Rymer, vol. 2. p. 795—819.

(75) Buchanan, Hist. Scot. l. 8. p. 137. Fordun, l. 11. c. 28.



by some personal affronts, neglected no opportunity of harassing the English; and becoming famous for his daring and successful adventures, he was soon joined by great numbers of his countrymen. The first attempts of this chosen and determined band were crowned with success. Several of the nobility observing this, either secretly favoured, or openly joined them (76). A. D. 1297.

But this first dawn of success was soon overcast. The earl of Surry, governor of Scotland, collected an army of 40,000 men; which entering Annandale, and marching through the south-west of Scotland, obliged all the barons of these parts to submit, and renew their oaths of fealty (77). Wallace, with his followers, unable to encounter so great a force, retired northward, and were pursued by the governor and his army. When the English army reached Stirling, they discovered the Scots encamped near the abbey of Cambuskenneth, on the opposite banks of the Forth. Cressingham, treasurer of Scotland, whose covetousness and tyranny had been one great cause of this revolt, earnestly pressed the earl of Surry to pass his army over the bridge of Stirling, and attack the enemy. Wallace, who observed all their motions, allowed as many of the English to pass as he could defeat, when rushing upon them with an irresistible impetuosity, they were all either killed, drowned, or taken prisoners. In the heat of the action, the bridge, which was only of wood, broke down, and many perished in the river; and the earl of Surry, with the other part of his army, were melancholy spectators of the destruction of their countrymen, without being able to afford them any assistance (78). Such was the violent hatred of the Scots against Cressingham, that finding his dead body on the field of battle, they treated it with the most wanton insults (79). This severe check, which the English received on the 11th September A. D. 1297, obliged them once more to evacuate Scotland. Surry's expedition into Scotland, and battle of Stirling.

Wallace, who after this great victory was saluted deliverer and guardian of the kingdom by his followers, pursuing the tide of success, entered England with his Wallace invades England.

(76) Heming. vol. i. p. 118. Trivet. Ann. 1297.

(77) Heming. p. 122, 123.

(78) Heming. vol. i. p. 127—129. Trivet. Ann. 1297. Walsing.

A. D. 1297. army, recovered the town of Berwick, plundered the counties of Cumberland and Northumberland, and returned into his own country loaded with spoils and glory (80).

A. D. 1298. The news of these surprising events being carried to Edward in Flanders, accelerated his return. After his arrival, he issued orders to all the forces of England and Wales to march northward; and having held a parliament at York, about Whitsunday, A. D. 1298, and passed several gracious and popular acts, to secure the hearts of his own subjects, he hastened to join his troops at their general rendezvous near Roxburgh (81). Here he found himself at the head of a gallant army, consisting of 80,000 foot and 7000 horse (82). A fleet of ships, laden with provisions, had orders to sail up the frith of Forth as the army advanced (83).

State of  
Scotland.

The Scots were not in a condition to resist so great an army, commanded by so brave a leader. Their country for several years, had been almost a continued scene of war, in which many of its inhabitants had perished. Some of their nobles were in the English interest, some of them in prison; and those few who had any power or inclination to defend the freedom of their country, were dispirited and divided. In particular, the ancient nobility began to view the power and popularity of William Wallace with a jealous eye; which was productive of very fatal consequences (84).

Battle of  
Falkirk.

About Midsummer Edward marched from Roxburgh to Berwick, which he entered without opposition; and from thence advanced into the country, by easy marches, taking some castles, and destroying every thing as he proceeded (85). When he had reached Templekiston, now Kirkkiston, his army began to be in so great distress for want of provisions, that he was on the point of marching back to Edinburgh. At this critical moment he received intelligence that the Scotch army were encamped near Falkirk, at about eighteen miles distance. The English army then advanced to the fields near Linlithgow, where they lay on their arms all night. Very early in the morning, July 22, Edward, though he had

(80) Heming. vol. 1. p. 131—136.

(81) Id. *ibid.* p. 158, 159.

(82) Id. *ibid.*

(83) Walsing. p. 75.

(84) Fordun,

l. 11. c. 31.

(85) Heming. t. 1. p. 159, &c.

been much hurt in the night by a blow from his horse, A. D. 1298.  
 put his army in motion, advanced towards the enemy,  
 and found them drawn up in order near the village of  
 Falkirk. Here a battle was fought; the particulars of  
 which are so variously related, that it is hardly possible  
 to investigate the truth. All that can be said with cer-  
 tainty is, that the Scots were defeated with great slaugh-  
 ter, and the English obtained a complete victory with  
 little loss (86).

Edward, after this great victory, spent some time at Edward's  
proceedings  
after the  
battle.  
 Stirling, for the recovery of his health, while his troops  
 were employed in plundering the country, and burning  
 the towns of Perth and St. Andrew's (87). He then di-  
 rected his march westward, and found the castle of Ayr  
 forsaken and burnt by Robert Bruce, who had lately  
 abandoned the English interest. A scarcity of provisions  
 prevented Edward from pursuing Bruce into Galloway,  
 as he intended, and obliged him to march directly  
 through Annandale (where he took the castle of Loch-  
 maben) into England (88).

Edward, before his return from the continent, had A. D. 1299.  
Edward's  
marriage,  
and peace  
with  
France.  
 concluded a truce with the king of France, and had  
 also referred all his disputes with that prince to the  
 pope (89). Boniface, who then filled the papal chair,  
 in order to lay a foundation for a lasting peace, propos-  
 ed, that king Edward should marry Margaret, the sister,  
 and his son prince Edward should marry Isabella, the  
 daughter, of the king of France; and that a congress  
 should be held at Montreuil in Picardy, for discussing  
 and settling all disputes between the two monarchs. A  
 peace was accordingly concluded at that place June 9,  
 and ratified by both kings August 3, A. D. 1299; and  
 about a month after Edward married the princess Mar-  
 garet of France (90).

While Edward was engaged in these negotiations, the Stirling  
castle be-  
sieged and  
taken by  
the Scots.  
 Scots, a little recovered from the confusion into which  
 they had been thrown by their late defeat, had collected

(86) Walsing. p. 75, 76. Ypodegm. Neustrie, p. 489. Heming.  
 t. 1. p. 163, &c. Trivet. Ann. 1298. M. Westmonst. p. 411. Knygh-  
 ton, col. 2527. Buchan. Hist. Scot. l. 8. p. 139. Fordun, l. 11. c. 31.  
 34. J. Major, l. 4. c. 15.

(87) Heming. t. 1. p. 165.

(89) Rymeri Fœd. t. 2. p. 817.

Heming. t. 1. p. 168—170.

(88) Id. ib. t. 1. p. 165.

(90) Id. ib. p. 241—247.

**A. D. 1299.** some forces, and invested the castle of Stirling. To preserve that important place from falling into their hands, Edward, soon after his marriage, set out to join his army in the north. But when he arrived at Berwick, and proposed to march into Scotland, his great barons refused to follow him, pretending that the season was too far advanced for such an expedition. This constrained him to abandon his design, and disband his army, having first sent a permission to the garrison of Stirling castle to surrender on such terms as they could procure (91).

**A. D. 1300.** Edward, in order to remove the discontents of his barons, which had prevented his intended expedition into Scotland, held a parliament at London, in the time of Lent A. D. 1300; in which he confirmed the famous charters of their liberties, with some additions (92). About Midsummer he entered into the west marches of Scotland, at the head of a great army, took some castles, and penetrated into Galloway. Here a petition was presented to him from the guardians and community of Scotland, requesting him to permit their king John Baliol to reign over them in peace, and to allow their nobles to redeem their lands from those Englishmen to whom he had granted them. But he rejected their petition with disdain (93).

The pope  
claims the  
superiority  
of Scot-  
land.

A few days after this (August 26), Edward's progress was interrupted by a very remarkable event. The archbishop of Canterbury arrived in the English camp, and presented to the king a bull from the pope; in which his holiness very clearly refuted Edward's pretensions to the superiority over Scotland; but advanced still more impudent and groundless pretensions of his own, affirming, that Scotland did, and always had belonged to the see of Rome; and commanding Edward, if he had any claim to that kingdom, to send commissioners to Rome to plead his cause within six months (94). Edward's army being at this time distressed by a scarcity of provisions, and the frequent assaults and surprises of their enemies, he marched them back into England, and

(91) Heming. t. 1. p. 168—170.

(92) Walsing. p. 78.

(93) Id. *ibid.*

(94) Rymer, t. 2. p. 844—846. Hem-  
ing. t. 1. p. 174—177.



granted the Scots a truce from October 30, to next <sup>A. D. 1300.</sup> Whitfunday (95).

Though the arguments advanced by the pope in support of his claim to the kingdom of Scotland were in themselves perfectly ridiculous, they gave Edward and his ministers no little trouble. After spending some time in collecting materials for an answer to his holiness, they laid this affair before the parliament, which met at Lincoln January 20, A. D. 1301. The English barons were filled with indignation at the presumption of a foreign priest, in summoning their sovereign before him to plead his cause, and returned a very spirited answer, declaring that they would not allow their king to submit to such an indignity. This answer, dated at Lincoln, February 12, was signed and sealed by one hundred and four of the temporal barons, in the name of the whole parliament (96). Edward sent a very long answer to the pope, in his own name; in which he enumerated all his claims to the superiority of Scotland, beginning with that which he derived from his famous predecessor Brutus the Trojan (27).

Answers of Edward and his parliament to the pope.

The truce with the Scots being now expired, Edward, attended by his son the prince of Wales, and a great army, marched into Scotland about Midsummer; but performed nothing that hath obtained a place in history. He spent the winter at Linlithgow, where, on January 26, A. D. 1301, he ratified a truce with the Scots, from that time to November 30 of the same year (98).

Edward again invades Scotland.

As soon as this second truce ended, Edward sent an army into Scotland, under the command of John de Segrave, one of the most celebrated warriors of that age. But this general having divided his troops into three bodies, which marched at a considerable distance from each other, was defeated near Roslin, February 24, A. D. 1303, by a small party of Scots, commanded by John Comyn, regent of Scotland, and Simon Frazer (99).

A. D. 1302. The English defeated at Roslin.

Though the Scots had derived little advantage from their alliance with France, in their struggles for preserving the independency of their country, they still enter-

A. D. 1303. Peace between France and England.

(95) Rymer, t. 2. p. 868.

(96) Id. ibid. p. 873—875.

(97) Walsing. p. 81—85. Rymer, t. 2. p. 863—888.

(98) Rymer, t. 2. p. 896.

(99) Heming. t. 1. p. 197.

Fordun, l. 12. c. 2.

A.D. 1323. tained hopes of assistance from that quarter. But these were now entirely blasted, by a treaty of peace that was concluded May 20, A.D. 1303, between the kings of France and England, in which John Baliol and the Scots were not included (100).

Edward, being now disengaged from all his other enemies, seems to have set his whole heart on making a complete conquest of Scotland, which had long been the great object of his ambition. With this view he marched into that country, at the head of so great an army, as deprived that unhappy people of all hopes of success from resistance. Accordingly he met with none till he arrived at Brechin, where Sir Thomas Maul defended the castle against him, till he was killed by a stone discharged from an engine (101). After this he conducted his army to the extremity of the province of Moray, and back to Dunfermline, where he spent the winter with his queen and court (102).

A.D. 1304.  
Nobility of  
Scotland  
submit to  
Edward.

In the course of last year, Robert Bruce, and several other barons, had submitted to Edward; and in the beginning of this, John Comyn earl of Badenoch, who had long acted as guardian of Scotland, in the name of his uncle John Baliol, followed their example, together with his friends and followers (103). All these barons were secured in their lives, liberties, and estates; but subjected to certain pecuniary penalties. A few who had been most active in their opposition were banished for a certain time. The garrison of Stirling castle, the only fortress of the kingdom which had not surrendered, were declared outlaws, in a parliament held at St. Andrew's in April (104).

Success and  
surrender  
of Stirling  
castle.

Edward, in order to finish the conquest of Scotland, made great preparations for the siege of Stirling castle, which he invested immediately after Easter. It was defended about three months against all his efforts, by Sir William Oliphant, and a small garrison, who were at length compelled to surrender at discretion (105). As all the strong places, as well as the chief men of Scotland had now submitted to Edward, he appointed John de Segrave

(100) Rymer, t. 2. p. 923—928.

(101) M. Westmonst.

p. 242.

(102) Heming, t. 1. p. 205.

(103) Ryley

Parliam. p. 369.

(104) Fordun, l. 22. c. 3.

(105) M. Westmonst. p. 245, 246. Heming, t. 1. p. 205, 206. Rymer, t. 2. p. 924.

governor of that kingdom, and set out on his return to England about the end of August (106). A. D. 1304.

Though the renowned William Wallace had long been excluded, by the jealousy of the nobles, from commanding the armies, and influencing the councils, of his country, he still continued to assert its independency, even after all the rest of his countrymen had submitted to superior force. This, together with the remembrance of the many mischiefs which he had done to his English subjects, and perhaps some apprehension that he might again rekindle the flames of war, made Edward employ various means to get possession of his person. In this he at last succeeded. Wallace was surpris'd, some say betrayed, in one of his lurking-places near Glasgow, conducted to London, tried, condemned, and executed August 23, A. D. 1305 (107). Thus fell one of the bravest men, and most determined patriots, that Scotland ever produced; and with him the freedom and independency of his country seem'd to fall. A. D. 1305. Wallace condemned and executed.

Edward was now employ'd in forming a plan for the future government of Scotland, in which he was assisted by Robert Bruce earl of Carrick and Annandale, who appears to have possess'd a considerable degree of his favour (108). By this plan (which was drawn up by commissioners appointed for that purpose) various changes were to be made in the laws of Scotland; and the chief places of power and profit were to be possess'd by Englishmen (109). These arrangements did not contribute any thing to reconcile the minds of the Scots to their new government or their new governors. Plan for the government of Scotland.

Robert Bruce earl of Annandale, son of Robert Bruce the competitor, died in his way from London, soon after Easter, A. D. 1304; and John Baliol king of Scotland died at his estate in France about a year after (110). These two events seem to have inspir'd Robert Bruce, the sixth of that name, and grandson of the competitor, with the design of asserting his claim to the crown of Scotland, and attempting to rescue his country from the English yoke. With this view, he left the court of Eng- Robert Bruce forms the design of mounting the throne of Scotland.

(106) Trivit. Ann. p. 1304.

Trivit. Ann. 1305.

(109) Id. p. 279.

(107) T. Walsing. p. 90.

(108) Ryley, p. 243.

(110) Heming. t. 1. p. 214. Hist.

Ch. on. de Maizures d'Abbeville, p. 263. 306.

A. D. 1306. land, and came into Scotland about the end of this year, or the beginning of the next.

Bruce kills Comyn. John Comyn earl of Badenoch was head of the most opulent and powerful family at this time in Scotland. He had been several years guardian of the kingdom, and was one of the last who submitted to Edward. Bruce, being sensible that the assistance of so potent a baron would be of the greatest advantage, and his opposition the greatest detriment to him, in his attempt upon the crown, desired and obtained an interview with him in the convent of the friars minors at Dumfries, February 10, A. D. 1306. What was said at this interview must for ever remain a secret, as none were present but the two chieftains; but it is certain,—that they quarrelled,—that from words they proceeded to blows,—that Bruce struck Comyn with his foot, and then wounded him with his dagger,—that one of Bruce's friends, Sir Thomas Kirkpatrick, rushing in, put him to death (111).

Bruce crowned at Scone.

After this daring and desperate deed, Bruce and his friends seized the castle of Dumfries by surprize, apprehended the English judges, who were then holding a court in the town-hall, published Bruce's resolution to assert his claim to the crown, and dispatched messengers into all parts, to invite the friends of his family, and of the freedom of their country, to come to his assistance. These messengers were so successful, that in a few days Bruce found himself at the head of a small army, with which he advanced, taking the castles, and wasting the lands, of all who refused to submit to his authority. About the middle of March he had penetrated as far as Perth, the English every where endeavouring to save their lives by flying into their own country (112). Having assembled all the chief men of his party, he was crowned at Scone on Friday, March 27, A. D. 1306, in presence of four bishops, five earls, and a great multitude of knights and gentlemen. For the greater solemnity, this ceremony was repeated on the Sunday after, when the crown was put upon his head by the countess of Buchan, sister of the earl of Fife (which family claimed a right to crown the kings of Scotland), her brother being absent, and in the English interest (113).

(111) Heming. t. i. p. 219. Walsing. p. 91. M. Westmonst. p. 455.

(112) M. Westmonst. p. 455.

(113) M. Westmonst. p. 456. Heming. t. i. p. 220.



Nothing could exceed the surprise and indignation of Edward when he heard of this revolution in Scotland. He was then at Winchester, and immediately commanded Aymer de Valence, Henry de Percy, and Robert de Cliford, to raise all the military in the north of England, to join the forces of the family of Comyn, and all the Scots in the English interest, and to take vengeance on the traitor Bruce, as he called him, and all his followers (114). These commands were punctually obeyed: the three generals entered Scotland with a considerable army, in the beginning of summer, and were joined by the partisans of the Comyn family, who were much enraged against Bruce for the murder of their chief.

As the enterprize in which Robert Bruce had engaged was one of the boldest and most desperate that ever was undertaken, so it was for some time one of the most unprosperous. Many of his bravest friends were killed or taken, June 24, at the fatal battle of Methven, near Perth; where he was surprised and defeated, and from whence he made his escape with great difficulty (115). The shattered remains of his army were again defeated at Dalry, a few days after, by the men of Argyle, under the command of their chieftain the lord Lorn, who, being the nephew of the murdered Comyn, was the mortal enemy of Bruce. Unable any longer to keep the field, he dismissed his few remaining followers; and, after skulking for some weeks on the continent, he took shelter, with only two or three friends, in the small island of Ruchrin, one the most unfrequented of the Western isles (116). Nor was Bruce less unfortunate in his family and friends than in his forces. His three brothers, Neil, Thomas, and Alexander, with Christopher Seton, an English baron, his brother-in-law, being taken in different places, were tried, condemned, and executed as traitors. His brave and faithful friends, the earl of Athol, Simon Fraser, and several others, shared the same fate (117). His queen, his only daughter, Marjory, his two sisters, Mary and Christina, with the countess of Buchan, the heroine who had placed the crown upon his

(114) Rymer, t. 2. p. 988. Heming. t. 1. p. 221.

(115) Walsing. p. 91. Heming. t. 1. p. 222.

(116) Fordun, l. 12. c. 11. Buchan. l. 8. p. 142.

(117) Id. ibid.

A.D. 1306. head, were all taken, and committed to different prisons, where some of them were treated with great severity (118).

Edward knight: his eldest son, and invades Scotland.

While the wretched Bruce was overwhelmed by so many calamities, his powerful adversary Edward was collecting money, and raising forces, to make a final conquest of Scotland. To animate the young nobility with greater ardour in this enterprise, Edward conferred the honour of knighthood upon his eldest son Edward prince of Wales, in his palace at Westminster, on Whit-funday, with very great solemnity. Immediately after, the prince went in procession to Westminster church, mounted on the high altar, and knighted about three hundred young noblemen and gentlemen, who were all dressed in robes embroidered with gold, which they had received out of the royal wardrobe. At the end of this ceremony, two swans, adorned with trappings and bells of gold, were brought with great pomp into the church; and the king took a solemn oath, by the God of heaven, and by these swans, that he would march into Scotland, and never return till he had avenged the death of John Comyn, and punished the rebellious Scots. The prince, and the young knights, his companions, took oaths to the same purpose (119). Soon after the solemnity, the king, with the prince and his knights, set out to join the army, which was appointed to rendezvous at Carlisle in July. But this great army meeting with no enemy in the field, spent the campaign in plundering the country, taking prisoners, and receiving the submissions of such as surrendered (120).

Bruce appears, and is forced to retire.

When neither friends nor foes knew what was become of Bruce, he suddenly made his appearance, about Michaelmas, on his own estate in Carrick, at the head of a small but resolute band of followers, surprised Henry de Percy, who had obtained a grant of that estate from Edward, seized his baggage, and besieged himself in Turnberry castle. But on the approach of a large detachment of the English army, he was obliged to raise the siege, and take shelter in the highlands (121).

(118) Rymer, t. 2. p. 1012—1016. (119) M. Westmoult p. 458.

(120) Id. n. 265—267. Rymer, t. 2. p. 1013—1016.

(121) Holme, t. 1. p. 225.

Edward, who was now in a declining state of health, spent the last months of the former, and the first months of this year, in Cumberland, and held a parliament at Carlisle, which met January 20, A. D. 1307. While this parliament was sitting, on February 22, Peter d'Espaigne, cardinal-legate from the pope, attended by the king, bishops, and barons, in their robes, with candles lighted and bells ringing, solemnly excommunicated Robert Bruce, and all who favoured him, as perjured traitors and enemies of peace (122). A few days after this solemnity, Piers de Gavaston, a Gascon gentleman, the great favourite and corrupter of prince Edward, was banished the kingdom: and both the prince and Gavaston took a solemn oath, that he never should return without the king's leave (123).

A. D. 1307.

Bruce excommunicated, and Gavaston banished.

When Edward was thus moving heaven and earth against Bruce and his adherents, that prince was not idle in his retreat. About the beginning of April, he descended from the mountains, at the head of a body of men; which, increasing as he advanced, at last amounted to ten thousand. With this army he defeated Aymer de Valence, earl of Pembroke, at Cumnock, and a few days after Ralph de Monthermer, earl of Gloucester; who flying to the castle of Ayr was there besieged (124).

Edward, exasperated beyond measure at this intelligence, issued his commands to all the forces of his dominions, to come to him at Carlisle three weeks after Midsummer. But before that time, the dysentery, with which he had been long afflicted, had rendered him so weak, that he was confined to his chamber; and a report prevailed that he was dead. To disprove this report, he set out from Carlisle July 3; but was so feeble, that he could travel only three miles; and having rested one day, he reached Burgh on the Sands, about five miles from Carlisle, July 5, and there expired in his tent, July 7, in the sixty-ninth year of his age, and thirty-fifth of his reign (125). When he took leave of the prince of Wales, he gave him (as is usual on such occasions) much good advice. In particular, he charged him,

Death of Edward I.

(122) Heming. t. 1. p. 226.

(123) Rymer, t. 2. p. 1043.

(124) Walsing. p. 93. Heming. t. 1. p. 237.

(125) Walsing. p. 93. Heming. t. 1. p. 237, 238. Rymer, t. 2. p. 1059.

A. D. 1307. under the pain of incurring his paternal malediction,—never to recal the banished Gavaston,—to send his heart into the Holy Land,—to carry his body with the army into Scotland, and not to bury it till he had made a complete conquest of that country (126). What regard his son paid to these injunctions, we shall see in the next section.

Character  
of Edward  
1.

Edward I. from the length and smallness of his legs commonly called *Long-Shanks*, had, in other respects, a very advantageous person, being remarkably tall, strong, and graceful. He had fine hair, yellow in his youth, darker as he advanced in life, and gray in his old age. His forehead was large, all his features regular, and his complexion fair when he was young, but browner in his manhood. He greatly excelled in riding, tilting, and in every martial and manly exercise. Hunting and hawking were his favourite amusements (127). Nor were his mental endowments inferior to his personal perfections. His excellent understanding and good sense rendered him one of the best legislators, and greatest politicians, that ever filled the throne of England. His personal courage and military skill were equally conspicuous. He had a sacred regard to justice, when he was not blinded by ambition. In a word, he was industrious, frugal, sober, and chaste; a dutiful son, a fond husband, and a tender parent. But his character was not without its blemishes: he was too fond of power; and would probably have endeavoured to render himself absolute, if he had not stood so much in need of the love and assistance of his subjects in prosecuting his ambitious schemes. It was evidently this that compelled him so frequently to confirm the charters; which he generally did with an ill grace, and to serve some particular purpose. The ambition of extending his authority over all the isle of Britain, was, in truth, the great blemish of this prince's character, which betrayed him into many crimes and errors, and brought many calamities on both the British kingdoms. As his schemes for the reduction of Wales were successful, the cruelty and iniquity of them have been long forgotten. But his attempts on Scotland, having been more unfortunate, have appeared more

(126) Walsing. p. 92.

(127. Id. p. 43, 44.



criminal; and his greatest admirers cannot deny,—that <sup>A.D. 1307.</sup> he took an ungenerous advantage of the unhappy circumstances of the Scotch nation;—that he abused the confidence which they reposed in him;—and that he committed many acts of injustice and cruelty in endeavouring to establish his dominion over them. It seems indeed probable, that by labouring so long, and so earnestly, to persuade the world of his right to the sovereignty of Scotland, he at length became persuaded of it himself; and it must also be confessed, that the object was so desirable, and the probability of obtaining it so great, that few ambitious princes could have resisted the temptation.

Edward I. was married to the princess Eleanor of Castile, by whom he had four sons and eleven daughters. <sup>His children.</sup> The three eldest of these sons, John, Henry, and Alphonso, died unmarried, long before their father; the youngest, Edward, survived, and succeeded him. Four of the daughters of this marriage, Eleanor, Joane of Acres, Margaret, and Elisabeth, were married to the earls of Bar and Gloucester, the duke of Brabant and earl of Holland; six of them died in their infancy; one of them, Mary, was a nun, and survived her father. Edward's second queen was Margaret of France, by whom he had two sons, Thomas of Brotherton earl of Norfolk, and Edmund of Woodstoke earl of Kent, and one daughter, Eleanor, who died in her infancy.

ALEXANDER III. king of Scotland, with his queen, <sup>History of Scotland.</sup> and a splendid train of his nobility, attended the coronation of his brother-in-law, Edward I. at Westminster, 19th August A. D. 1274 (128). At that time the greatest cordiality reigned between the two nations, as well as the two royal families. Soon after, the unhappy question about homage, as usual, occasioned some disquiet. But as both parties were then amicably disposed, this dispute was compromised, by permitting Robert Bruce earl of Carrick to do homage in the name of Alexander, and by expressing it in general and ambiguous terms, to be on account of the lands and tenements which he held of the king of England, without any specification (129).

Margaret queen of Scotland died about six months <sup>Changes in the royal family of Scotland.</sup> after she had attended her brother's coronation; and se-

(128) Knyght. col.

(129) Rym. Fœd. tom. 2. p. 126.

A. D. 1307. veral great changes took place in the royal family of Scotland in a few years (130). David, the youngest son of Alexander, died A. D. 1281; and in that same year Margaret, his only daughter, was married to Eric king of Norway, and died A. D. 1283, leaving an infant daughter of the same name (131). Alexander prince of Scotland married Margaret, the daughter of Guy earl of Flanders, A. D. 1283, and died in January A. D. 1284, without issue (132). Thus, in a short time, this unhappy prince lost his queen, and all his children, having only one infant grandchild left.

Marriage  
and death  
of Alexander  
III.

Alexander III. after he had been ten years a widower, seeing his family so weak, at the earnest request of his nobility, married Ioleta, daughter of the earl of Dreux. But he was unhappily killed by a fall from his horse, near Kinghorn, a few months after this marriage, 16th March A. D. 1286, in the forty-fifth year of his age, and thirty-seventh of his reign (133).

Lamented  
by his sub-  
jects.

Hardly any prince was more sincerely lamented, or longer remembered, by his subjects, than Alexander III. of Scotland, both on account of the peace and prosperity they had enjoyed under his government, and of the deplorable calamities in which they were involved after his death.

The history of Scotland, from the death of Alexander to the death of Edward I. is so interwoven with that of England, that it could not be separated from it, and hath been already related.

(130) Ford. l. 10. c. 35.

(131) Rym. Fœd. t. 2. p. 370. Ford. l. 10. c. 37.

(132) Rym. Fœd. tom. 2. p. 269. Ford. l. 10. c. 37.

(133) Ford. l. 10. c. 42.

## SECTION III.

*The civil and military history of Britain, from the accession of Edward II. A. D. 1307, to the accession of Edward III. A. D. 1327.*

EDWARD II. at his accession to the crown of A. D. 1307. England, enjoyed many great advantages; which seemed to promise him the monarchy of Britain, and a glorious and happy reign. He was then in the twenty-third year of his age, at the head of a mighty army, flushed with many former victories, inflamed with the most violent national animosity against the Scots, with whom they had been about fifteen years at war, and animated with the most ardent desire of acquiring both riches and honour, by the complete conquest of their country. But it soon appeared that he was not possessed of talents to make a proper use of these advantages.

Edward spent about three weeks at Carlisle, waiting for some of his forces, receiving the homage of his English barons and other military tenants of the crown, and giving orders about his father's funeral, and other matters. At length, August 1, A. D. 1307, he began his march into Scotland, directing his route towards Dumfries, having summoned the nobility of Scotland to meet him at that place, to perform their homage. Here he trifled away his time in receiving the submissions of such of the Scotch barons as obeyed his summons, without taking any vigorous measures for the reduction of Robert Bruce and his followers, who were becoming daily more formidable.

As soon as Edward heard of his father's death, he discovered his contempt of his own most solemn oaths, and of the dying injunctions of his illustrious parent, by recalling Piers Gavaston from banishment; and while he resided at Dumfries, he further betrayed his extravagant

(1) Chron. de Lannercost.

A. D. 1307. fondness for that pernicious favourite, by granting him, August 6, the whole earldom of Cornwall, and all the great estates of his cousin Edmund, which had lately fallen to the crown (2).

Edward  
returns to  
England.

Edward paid no greater regard to the last and most earnest of his father's admonitions, to prosecute the war against Scotland with the greatest vigour, and never to desist until he had made an entire conquest of that country. For from the very beginning of his reign he allowed that war to languish, and advanced no further than to Cumnock, in the shire of Ayr, where he continued only a few days. Becoming weary even of the shadow of war, and impatient to embrace his returning favourite Gavaston, having constituted Aymer de Valence earl of Pembroke guardian of Scotland, he disbanded a great part of his army, and returned to England in the beginning of September (3).

Edward's  
liberality  
to Gavaston.

These first transactions of Edward's reign gave the people of England very unfavourable impressions, both of the dispositions and abilities of their new king; and the events which followed served still further to confirm these impressions. As soon as the favourite Gavaston arrived at court, he was loaded with wealth and honours, and had the entire direction both of the king and kingdom. The faithful servants of the late king were the first who felt the fatal effects of the favourite's unbounded sway. The chancellor, treasurer, barons of the exchequer, and judges of both benches, were all turned out of their places; and some of them, particularly Walter de Langton treasurer, imprisoned, and treated with great severity (4). The places of these discarded ministers and judges were filled by the creatures of the favourite. Edward, not yet weary of conferring benefits on his beloved Gavaston, gave him a still stronger proof of his unbounded affection, by introducing him into the royal family, and bestowing his own niece, sister of the young earl of Gloucester, upon him in marriage (5). Nay, when this infatuated prince sailed to Boulogne, in January 1308, to celebrate his nuptials with the princess Isabella, daughter

(2) Rymer, t. 3. p. 1, 2, 3. J. de Trokelowe. M. Malmshuriens. p. 95.

(3) Rymer, t. 3. p. 7.

(4) Walsing. p. 96. J. de Trokelowe, p. 4. Heming. t. 1. p. 244.

(5) Heming. v. 1. p. 245. Mon. Malou. p. 96.



of the king of France, to whom he had already been espoused by proxy, passing by the princes of the blood, and all the ancient nobility of England, he constituted Gavaston guardian of the kingdom in his absence, with more extensive powers than had ever been granted to any former guardian (6). A. D. 1307.

Such an astonishing profusion of royal favour, was enough to have excited envy against a person of the greatest prudence and humility. But these virtues constituted no part of the character of this worthless minion. On the contrary, he was vain and insolent in the highest degree; and made the most ostentatious and provoking displays of his personal accomplishments, and of his power and riches. Some of the nobility he offended by his satirical wit; some he affronted by his superior address in tournaments, the favourite diversion of the great in these times: and he enraged them all by engrossing the royal favour and bounty, and depriving them of that share in the confidence and liberality of their sovereign, and in the management of public affairs, to which they thought themselves intitled by their birth and station (7). Thus, while Gavaston was beloved beyond measure by his deluded sovereign, he was abhorred and hated with the greatest violence, both by the nobility and common people; who never could be prevailed upon to shew him the least respect, or call him by any other name than that of *Piers Gavaston*, though a ridiculous proclamation was issued by the king, commanding all men to give him the title of *Earl of Cornwall* in common conversations (8).

Edward returned from France on the 7th of February, accompanied with a splendid train of French princes and noblemen, and was crowned, together with his young queen, in Westminster abbey, on the 25th of the same month (9). A. D. 1308.  
Edward's marriage and coronation.

Though Edward was now married to a young and beautiful princess, it soon appeared that she possessed a very small share of his affections; and that his fondness for his favourite was not in the least diminished. He bestowed upon Gavaston all the rich presents which he Indignation of the nobility against Gavaston.

(6) Rymer, t. 3. p. 47. 53. Ypodig. Neufville, p. 499.

(7) Walling. p. 97. J. Tuckelowe, p. 6.

(8) Mon. Malm. p. 98.

(9) Walling. p. 95. 96. Rymer, t. 3. p. 59.

A. D. 1308. had received from the king of France at his marriage; he allowed him to plunder the treasury of one hundred thousand pounds, besides jewels left by the late king; and he appointed him to carry the crown at the coronation, where he far outshone all the nobility, and even the king himself, in the splendour and richness of his dress (10). These and many other marks which the king daily gave of his extravagant fondness for his favourite, inflamed the resentment of the nobility to the greatest height, and made them resolve to tear the insolent minion from behind the throne, and drive him out of the kingdom. Thomas earl of Lancaster, the king's cousin-german, the richest and most powerful nobleman in the kingdom, was at the head of the discontented barons, who had a meeting in the refectory of Westminster abbey, a few days after the coronation, and petitioned the king to banish Gavaston out of the kingdom. But he declined giving any answer to this petition till after Easter, when the parliament was to meet (11). The barons, being sensible that force alone could prevail upon the king to grant a petition so contrary to his inclination, employed the interval in providing such a force; and had several meetings, at Ware, Northampton, and other places; in which they bound themselves by oath to stand by one another in procuring the banishment of Gavaston (12).

Parliament. The parliament met at Westminster on the 28th of April: to which the earl of Lancaster, and the barons of his party, came, attended with so great an armed force, that the king was in no condition to deny them any thing. Their demands, however, were more moderate than might have been expected. They insisted only, that Gavaston should be banished out of England for life; that he should depart out of the kingdom before Midsummer next, and take an oath never to return; without requiring the confiscation of his great estate, or calling him to account for the immense sums of the public money which he had converted to his own use (13). The king, though with extreme reluctance, consented to the banishment

(10) Rymer, t. 3. p. 63, Sec. M. Westmonst. Contin.

(11) M. Westmonst. Contin.

(12) Chron. St. August.

(13) Trivit. Contin. p. 5. Heming. p. 245.

of his favourite, and granted his letters-patent to that purpose (14). A. D. 1308.

As soon as the parliament was dismissed, Edward gave his favourite fresh proofs of his unabating fondness, by granting him several large estates, both in England and Gascony (15); and when he found it impossible to retain him any longer near his person, without incurring both the censures of the church and the dangers of a civil war, instead of sending him into Gascony, as the discontented barons expected, he appointed him lord lieutenant of Ireland, and accompanied him to Bristol in his way to that kingdom (16). Gavaston spent about a year in Ireland, living in royal splendour, and displaying his military skill and courage, of which he possessed a considerable share, in taking some castles, and defeating some parties of the rebellious Irish (17). Gavaston made lord lieutenant of Ireland.

In the mean time Edward bore the absence of his favourite with great impatience, and employed every art to pave the way for his return. He prevailed with the pope to absolve Gavaston from the oath which he had taken never to return to England (18); and greatly softened the resentments of his most powerful enemies by favours and promises (19). When all things were thus prepared, the favourite was recalled, and the infatuated prince flew to meet him at Chester about the end of June 1309 (20), and received him with the greatest transports of joy, and all the marks of the most fond affection. Edward had at this time so far regained the confidence of his nobility and other subjects, by many great concessions which he had made them (21), that he prevailed with the parliament, which met at Stamford July 26, to approve of Gavaston's return, and consent to his remaining in England unmolested. A. D. 1309.  
Gavaston recalled.

If Edward and his favourite had been capable of becoming wiser by their past difficulties, they might have enjoyed their present tranquillity much longer than they did. But being both equally vain and thoughtless, they abandoned themselves to the most extravagant demon- Misconduct of Edward and Gavaston.

(14) Rymer, t. 3. p. 80.

(15) Rymer, t. 3. p. 87, &amp;c.


(16) Id. ibid. p. 92, 93. M. Malm. Vita Edwardi II. p. 100.

(17) Daniel's Hist. Ed. II. in Kenet's Hist. vol. 1. p. 204.

(18) Rymer, t. 3. p. 91.

(19) Id. ibid. p. 78. Malm. p. 101.

(20) Leland's Collect. v. 1. p. 248. (21) See chap. 3.

**A. D. 1309.**  strations of joy. Nothing was to be seen at court but the most magnificent and expensive feasts, balls, and tournaments; at all which Gavaston made the most conspicuous figure, and eclipsed all the ancient nobility by the richness and splendour of his appearance, and the lustre of royal favour (22). Besides this provoking display of his prosperity, so apt to excite envy, he inflamed the resentment of some of the most powerful barons, by turning them into ridicule, and giving them opprobrious and disgraceful nicknames; calling the earl of Lancaster, the first prince of the blood, and most potent nobleman in the kingdom, the *Stage-player*; the earl of Pembroke, *Joseph the Jew*; the earl of Warwick, the *Black dog of Arden*, &c. This imprudent conduct very soon produced its natural consequences, and Gavaston became the object of universal detestation. The discontented lords began to draw together, and appointed tournaments in several places, as a plausible pretence for their meetings, which were in reality designed for contriving the destruction of the favourite (23).

**A. D. 1310.** **Parliaments.** The king, in order to avoid the gathering storm, made a progress into the north, and called a parliament, to meet at York on the 18th of October, in which Gavaston took his place as earl of Cornwall. But the discontented and now confederated barons, pretending to dread some danger to their persons from the power and treachery of the favourite, refused to attend this parliament; which, for that reason, was adjourned to meet at the same place on the 3d of February A. D. 1310 (24). The same cause rendered this second meeting ineffectual. The king, who was in great distress for money, being at length convinced that he could obtain no aid from his parliament, while the object of his affection, and of their detestation, was in view, resolved to part with his favourite for a time, and sent him out of the way.

**Change in the constitution.** After the departure of Gavaston, the confederated lords no longer refused to come to a parliament, which met at Westminster in Lent 1310 (25); but they came attended (contrary to a royal proclamation (26) with such a number of armed followers, that they were entire

(22) M. Malmf. p. 103.

(23) Rymer, t. 3. p. 208. 222, &amp;c.

(24) Hen. 3. t. 1. p. 246.

(25) *Id.* *ibid.* Mon. Malmf. p. 104.

(26) Rymer, t. 3. p. 200.



masters both of king and parliament. This enabled them A. D. 1310. to make that temporary change in the constitution, more fully related in the third chapter of this book; and of investing twelve of their own number, under the title of *Ordainers*, with a kind of dictatorial authority, which they were to enjoy till Michaelmas in the year following; and the king granted a commission for chusing these ordainers on the 16th March 1310 (27).


After Edward had made this great concession to please the confederated barons, and the other business of this session of parliament was ended, he began to turn his views northward, and to think of doing something in earnest in the war with Scotland, which had languished ever since his accession to the throne (28). Edward resolves to prosecute the war with Scotland.

If Edward had prosecuted the war with Scotland, in the first year of his reign, with any vigour, the total and final conquest of that country would, in all human probability, have been the consequence. All the places of strength in that kingdom were already in his possession; the far greatest part of the nobility and people had submitted to the English government; the potent family of the Comyns, with some others, had cordially embraced the English interest; and a long and dangerous sickness with which Robert Bruce, the new king of Scots, was seized at that time, would have facilitated the success of the enterprize. But Edward, by his hasty return into England, and the subsequent errors of his conduct, lost all these advantages, never to be regained. For as soon as Bruce recovered his health, he applied himself with great spirit to improve the favourable opportunity which the imprudence of Edward and the distractions of the English government put into his hand, and by a series of wise, vigorous, and successful measures, in the space of three years he reduced all Scotland, except a few fortresses, under his obedience. Robert Bruce reduces a great part of Scotland.

At length Edward summoned all the military vassals of the crown to meet him at Berwick, with their troops, on the 8th of September 1310, in order to an expedition into Scotland. This summons was but ill obeyed; several of the confederated lords remaining in London to attend the twelve ordainers, who were employed in pre- Edward invades Scotland.

(27) Ryley, p. 526. Rymer, t. 3. p. 204. 220.

(28) Rymer, t. 3. p. 222.

A. D. 1310. paring their ordinances for the reformation of the government (29). Edward, however, marched into Scotland at the head of a considerable army, and Bruce declining an engagement, and retiring into the north, he advanced as far as Linlithgow without seeing an enemy; but was soon obliged, for want of provisions, to return with his army to Berwick. He spent the winter in this place, happy in the society of his beloved Gavaston, who had lately emerged from his retreat (30).

A. D. 1311. Gavaston's expedition into Scotland. Edward sent his favourite with an army into Scotland (in March 1311), to gather laurels, and abate the general odium against him. Gavaston penetrated a great way into the country; but not being able to bring the Scots to an engagement, he returned without performing any action of éclat. After his return, Edward set out for London to hold a parliament, which was summoned to meet there on the 8th of August, and continued to sit till the 10th of October.

Ordinances confirmed. In this parliament the famous ordinances composed by the twelve ordainers were debated; and at length, with much reluctance, confirmed by the king, and sworn to by the lords and commons, and copies of them, under the great seal, sent to all the sheriffs of England (31).

Gavaston banished. By one article of these ordinances, Piers Gavaston was, for many crimes therein enumerated, to be banished for ever out of all the king's dominions, and to depart before the 1st of November next, under the penalty of being treated as a common enemy to the king and kingdom (32).

A. D. 1312. Gavaston recalled. After his favourite was thus once more torn from him, Edward retired into the north, and took up his residence at York. Unable to live long without his beloved Gavaston, he recalled him from Flanders, the place of his retreat (33); received him at his arrival with the greatest transports of joy: heaped new favours upon him; and published a proclamation, declaring that his banishment had been illegal (34).

(29) Men. Malmf. p. 105, 106. Heming. p. 247, 248.

(30) Id. ibid.

(31) Men. Malmf. p. 110—113. J. de Trokelowe, p. 7, 8. Brady's Hist. vol. 2, p. 102, 119. Append. No. 50, &c.

(32) Mon. Malmf. p. 114, &c.

(33) J. Trokelowe, p. 8.

(34) Rym. Fœd. t. 2. p. 298.

This imprudent measure rekindled the resentment of <sup>A.D. 1312.</sup> the confederated barons; who immediately drew together, raised an army, and, having appointed the earl of Lancaster their general, directed their march northward (35). The confederates now received a great accession of strength, by the junction of the earl of Warrenne to their party, and by the general dissatisfaction with the king, and rage against the favourite, which prevailed amongst the people. <sup>Civil war.</sup>


In the mean time, the king and Gavaston spent their time in pleasure, and in the most profound security, at York, without taking any measures to meet or dissipate the approaching storm. At length, when they heard that the confederate army was near, they retired first to Newcastle, and then to Tinnmouth, where they embarked with a small retinue, and arrived at Scarborough. The king having put Gavaston into the castle of that place, which was esteemed impregnable, marched on to York, in order to raise an army, to make head against his enemies (36). <sup>Edward and Gavaston retire.</sup>

As soon as the earl of Lancaster received intelligence of this, he marched from Newcastle, and, detaching the earls of Pembroke and Surry, and Henry de Percy, with a sufficient body of troops, to besiege the castle of Scarborough, he posted himself between that place and York, to prevent all communication between the king and Gavaston (37). The king, trembling for the safety of his favourite, and unable to relieve him by force, sent his royal mandate to the besiegers, commanding them to desist from their enterprize (38). But slighting this command, they pushed the siege with vigour; and Gavaston, finding the place destitute of provisions for a long defence, capitulated on the 19th of May; and surrendered himself to the earl of Pembroke and Henry de Percy, on condition that, he should be kept safe in their custody till the first of August next; that in the mean time endeavours should be used for bringing about a general accommodation; but if that did not take place, he should then be restored to the castle of Scarborough, in the <sup>Gavaston besieged in Scarborough castle, and taken.</sup>

(35) Walsing. p. 100. J. Trekelowe, p. 10. Mon. Malmf. p. 118.

(36) Walsing. p. 101. Mon. Malmf. p. 119. J. Trekelowe, p. 16.

(37) J. Trekelowe, p. 17. (38) Rym. Fæd, t. 3. p. 327, 328.

A. D. 1312.  same condition in which he left it: and for the observation of these conditions these two noblemen pledged all their lands (39).

Gavaſton  
executed.

The earl of Pembroke having thus got the person of the hated Gavaſton into his poſſeſſion, conducted him to the caſtle of Deddington, near Banbury, in Oxfordſhire. Here the earl left him in the cuſtody of his ſervants, and went to ſpend a few days with his lady, who reſided in that neighbourhood (40). In the mean time, on Saturday 17th June, very early in the morning, the caſtle of Deddington was beſet by a great body of armed men, commanded by Guy earl of Warwick; and Gavaſton, finding his guards neither able nor willing to defend him, ſurrendered himſelf into the hands of that earl, his moſt furious and implacable enemy, who carried him to his caſtle of Warwick. As ſoon as this event was known, the earls of Lancaſter, Hereford, and Arundel, the chiefs of the confederacy, repaired to Warwick; and after ſome conſultation, they agreed to put their priſoner to death, as a traitor and public enemy, without any regard to the capitulation, and without any formal trial. In conſequence of this reſolution, on the 1ſt July, the three earls with their followers, conducted the wretched Gavaſton to Blacklow-hill, near Warwick, where they beheld his head ſevered from his body by the hands of the executioner, with ſome degree of that ſavage pleaſure which party-rage is too apt to inſpire on ſuch occasions (41).

Peace be-  
tween Ed-  
ward and  
the confe-  
derated ba-  
rons.

Edward, when he received the news of his beloved favourite's death, was filled with inexpressible grief, and with the moſt furious reſentment againſt its authors (42). He haſtened to London, and applied himſelf with uncommon ſpirit, to collect money, and raiſe an army: but as he had loſt the affections of the greateſt part of his ſubjects; his endeavours were not very ſucceſſful; and he ſoon heard, that the confederated barons were approaching the capital, at the head of a much more powerful army than he could bring into the field. This

(39) Rymer, Foed. t. 3. p. 334. Mon. Malmſ. p. 120.

(40) Walsing. p. 101. T. de la More, p. 593.

(41) Dugdale's Baron. vol. 2. p. 24. Walsing. p. 101. T. de la More, p. 592. Mon. Malmſ. p. 123. J. Tickleſowe, p. 18.

(42) Mon. Malmſ. p. 126.



disposed him to listen to milder counsels; and the count of Evreux, the queen's uncle, cardinal Arnaud, the pope's nuncio, and the earls of Gloucester and Richmond, interposing their good offices, a treaty was set on foot between the king and the barons. While this treaty was depending, the queen was delivered of her eldest son, prince Edward, at Windsor, on the 13th of November (43). This happy event is said to have put the king into such a good humour, that it contributed greatly to facilitate the success of the negotiations; and a pacification was concluded, December 20, on the following terms: "That the barons should come before the king in Westminster-hall, and ask his pardon on their knees; that they should restore the horses, arms, jewels, plate, &c. belonging to Gavaston, which they had seized at Newcastle; and that a full pardon should be passed in the next parliament to the barons and their adherents, for the death of Gavaston, and all other crimes and misdemeanors (44)."

Though the armies on both sides were disbanded, and some appearance of tranquillity restored by this pacification, the reconciliation between the king and the barons was far from being cordial. Edward, who had not yet forgot his resentment for the death of his favourite, was in no haste to call a parliament, and grant the pardon he had promised; and the barons, jealous of his ill intentions, kept at a distance from court, and in a posture of defence. Whilst affairs were in this unsettled state, Edward, having constituted his nephew the earl of Gloucester guardian of the kingdom, embarked at Dover for France May 23, with his queen, and a splendid retinue, to be present at the knighting and coronation of Lewis king of Navarre, his brother-in-law, on June 3, at Paris (45). Before his departure a parliament had been called to meet at Westminster July 8, and he sent over a commission to the bishops of Bath and Worcester, and the earls of Gloucester and Richmond, to hold that parliament (46). But his absence rendered this meeting abortive, and increased the discontent and jealousy of the

A. D. 1312.

A. D. 1313.  
The king and queen visit the court of France.


(43) Rymeri Fœd. t. 3. p. 358.

(44) Id. ibid. p. 366, 367, 368. Walsing. p. 102. J. Trokelowe, p. 19, 20. Mon. Malms. p. 129—131.

(45) Rymeri-Fœd. t. 3. p. 393.

(46) Id. ibid. p. 422.

barons,

A. D. 1313.  barons, who now became impatient to obtain the promised pardon, and began to talk of having recourse to arms.

King  
and barons  
reconciled.

The king arriving from France July 16, and being made sensible that it was dangerous to trifle any longer with the discontented barons, summoned a parliament to meet September 23, at Westminster (47). At this parliament, by the mediation of the queen, the prelates, and the earl of Gloucester, the pacification between the king and the barons was completed. The barons came into Westminster-hall, and implored the king's pardon on their knees: the king published a general pardon to the barons and all their adherents October 16, and the day after he granted particular pardons, under the great seal, to the earls of Lancaster, Hereford, and Warwick, and about five hundred knights and gentlemen of their party, by name (48). The king feasted the earl of Lancaster and the barons of his party, and was feasted by them; and as a still more substantial proof of their reconciliation, the barons and knights of shires granted the king a twentieth, and the citizens and burghesses a fifteenth, of their moveables, to enable him to carry on the war against Scotland (49).

A. D. 1314.  
State of  
Scotland.

Robert Bruce, who was now generally acknowledged by his own subjects, and by foreign nations, as king of Scots, having made the best advantage of these dissensions, which reigned so long in England, had reduced all Scotland under his obedience before the beginning of the year 1314, except the castles of Stirling, Dunbar, and Berwick. He had also restored order to the civil government, and authority to the laws; extinguished the English faction, revived the spirits, and united the hearts, of the Scots, in defence of their king and country. Nay, this wise and intrepid prince had even made several bold incursions into England, and returned laden with the spoils of his enemies (50).

Edward  
prepares for  
a formidable  
invasion  
of Scotland.

It was now high time for the English, as soon as their internal tranquillity was restored, to think seriously of avenging these injuries, and recovering the dominion of Scotland, which they had lost by their intestine broils. With these views, Edward applied with great vigour to

(47) Rumeri Fed. t. 3. p. 416.

(48) Mon. Mahuf. p. 141.

(49) Ib. ibid. p. 443. 445. 447.

(50) Ib. p. 141.

the raising of money, collecting provisions, arms, ships, and forces, for a formidable expedition into Scotland, which might decide the fate of that kingdom at a single blow, and reduce it once more under the English yoke (51). He enlisted troops in Flanders, and other foreign countries; sent for his military vassals in Gascony, Ireland, and Wales; and summoned all the warlike power of England to meet him at Newcastle upon Tyne, three weeks after Easter (52). The earls of Lancaster, Arundel, Surry, and Warwick, only sent their vassals, not thinking fit to trust themselves in the king's power (53). But in general this summons was so well obeyed, that Edward found himself at the head of the greatest army that ever marched out of England into Scotland, attended by an incredible number of carriages, loaded with arms, provisions, and baggage of all kinds (54). Every thing being ready, he moved from Berwick June 18, directing his march towards Stirling castle, the relief of which was the immediate object of this mighty armament, and arrived by easy marches, and without any opposition, within three miles of that place, on June 24. Here the Scotch army presented itself to view, drawn up on the north banks of the little river Bannock, directly in the road to Stirling (55).

Scotland had been so long in a state of war, and so often desolated by the English armies under Edward I. that it was now thinly inhabited; and king Robert, with all his efforts, could not collect above thirty thousand men to defend his crown and kingdom against so formidable an invasion. With this army, however, being the greatest he could raise, he resolved to stand his ground, depending on their determined courage, and declared resolution to die or conquer. He chose his ground with great judgment, having a mountain on his right, a morass on his left, and a small river in front. To render the approach of the enemies cavalry, in which they abounded, still more difficult and dangerous, he had dug many pits along the banks of the river, into which he had driven stakes, sharpened at the head, and very art-

A. D. 1314.

Number  
and disposi-  
tion of the  
Scotch  
army.

(51) Rymeri Fœd. t. 3. p. 432. 463. 475.

(52) Id. ibid. p. 476, 477, &c. (53) Walsing. p. 104.

(54) Mon. Mahmi. p. 146, 147.

(55) Mon. Mahmi. p. 146, 147. Walsing. p. 105.

A.D. 1314. fully covered them with turfs and rushes (56). There were some skirmishes between detached parties of cavalry on the evening in which the armies came in sight; in one of which the king of Scots gave a proof of his strength, dexterity, and courage, which greatly raised the hopes of his army, by cleaving Henry de Bohun to the chin, with a battle-axe, at the head of his troop (57). But the day being too far spent for a general engagement, both armies retired to their ground, and waited with equal impatience the return of light.

Battle of  
Bannock-  
burn.

This short night is said to have been spent in a very different manner by the different armies. The English, despising an enemy whom they had so often conquered, confident of victory from their superior numbers, and abounding in provisions of all kinds, spent the hours in mirth and jollity. The Scots, sensible that the moment which must determine the fate of their country, and make them and their posterity either a free or a dependent people, was approaching, employed the awful interval in acts of devotion, and in mutual exhortations to conquer nobly or die bravely. As soon as the dawn appeared, both armies began to put themselves in order of battle. The earl of Gloucester, who commanded the English cavalry, full of youthful ardour, and disputing the post of honour with the earl of Hereford, advanced to the attack with too much precipitation, fell among the covered pits, was thrown from his horse, and killed (58). This disaster threw the cavalry into some confusion; and sir James Douglas, who commanded the van of the Scotch army, making a furious attack upon them at the same instant, completed their disorder, and put them to a total rout (59). The infantry, observing with astonishment the defeat of their horse, and seeing another army, as they imagined, marching along the hills, (which was only the waggoners and boys in the Scotch camp, furnished with standards to make the appearance of an army at a distance), were seized with a panic, and fled, without striking a blow, or coming near an enemy. In this deplorable scene of confusion the unhappy Edward discovered no want of personal courage, and was with much

(56) T. de la More, p. 594.

(57) Mon. Malm. p. 147, 148.

(58) T. de la More, p. 594. Mon. Malm. p. 147, 148.

(59) Id. ibid. p. 149.



difficulty persuaded to quit the field of battle, and save himself by flight (60). By the most moderate accounts of contemporary historians, there fell in this battle, or were taken prisoners, of earls, barons, and knights, 154, of gentlemen 700, and of common soldiers above 10,000 (61). As this great defeat happened early in the morning on Midsummer day, at the distance of eighty miles from any place of safety, very few of the flying army would have escaped with life and liberty, if many of the Scotch soldiers had not preferred the plunder of the English camp (where they found an immense booty) to the pursuit of their enemies (62). Such was the fatal defeat of Bannockburn, which for some time greatly sunk the spirits of the English nation, established Robert Bruce on the throne of Scotland, and restored the long-disputed independency of that kingdom (63).

Edward remained about three weeks at Berwick, whither he had escaped, and then set out for York, to hold a parliament, which was summoned to meet there on August 15 (64). England was at this time a scene of great distress and misery; dispirited by defeat, distracted by faction, depopulated by famine, and desolated by an army of Scots, who had made an incursion into the northern counties. But the earl of Lancaster, and the barons of his party, who had not been in the late battle, instead of flying to the relief of their bleeding country, took that opportunity to promote their own ambitious views; and the king being unable to make any resistance to their will, they turned all his officers and servants out of their places, which they took to themselves, or bestowed on their dependents (65). The remainder of this unfortunate year was spent in fruitless overtures for peace, and in exchanging prisoners. Bruce now received his wife, his daughter Marjory, then his only child, his sister Christina, and all the lords and gentlemen who had been prisoners in England since the time of Edward I. in

Unhappy  
state of  
England.

(60) Mon. Mahini. p. 151. J. Trakelham, p. 27.

(61) Walsley. p. 105. T. de la More, p. 594.

(62) Mon. Mahini. p. 152.

(63) Walsley. p. 106. Mon. Mahini. p. 151. 153.

(64) Rymer, t. 3. p. 493. Walsley p. 106.

(65) Mon. Mahini. p. 154.

A. D. 1314. exchange for some of the earls, barons, and others, who had been taken at the battle of Bannockburn (66).

A. D. 1315. Though the whole power was now in the hands of the State of England. earl of Lancaster and his partisans, the nation reaped no advantage from their administration. The famine still continued to rage with great violence; and the imprudent methods used by a parliament assembled the 20th January, to remedy that evil, by setting a fixed price on all kinds of provisions, rather increased it (67). The Scots, who were afflicted with the same calamity, sought relief by making incursions into England; and though some troops were sent into the north, yet no effectual care was taken to prevent them (68).

Expedition  
of Edward  
Bruce into  
Ireland.

The Scots were so much elated by their late successes, that they began to entertain hopes of conquering another kingdom. The Irish had long borne the English yoke with impatience; and thinking this a favourable opportunity to throw it off, they invited Edward Bruce, brother to the king of Scots, to come over to their assistance with a body of troops, and promised to make him king of Ireland. Edward, naturally ambitious and enterprising, joyfully accepted the invitation; and landed near Carrickfergus, May 26, with a small but select army of 6000 men; and being joined by some Irish chieftains, he had several actions with the English, with various successes (69).

A. D. 1316. Lancastrian  
party pre-  
dominant.]

At a parliament held at Lincoln in the months of January and February, the king having once more confirmed the famous ordinances, and submitted to every condition imposed upon him by the Lancastrian faction, an expedition against Scotland was resolved upon; the earl of Lancaster was declared the chief of the king's council, and general of the army, which was to assemble at Newcastle 8th July (70).

Expedition  
of Robert  
Bruce into  
Ireland.

It is not a little surprising, that while he was threatened with so formidable an invasion from England, Robert Bruce should think of leaving his kingdom, and invading Ireland. This renders it highly probable, that there was

(66) Rymer Fœd. t. 3. p. 489, &c. Walsing. p. 106. Mon. Malmf. p. 155.

(67) Walsing. p. 106, 107. J. Trokelowe, p. 30, 31.

(68) Walsing. p. 106, 107.

(69) Annals of Ireland in Camden. Trivet. Contin. p. 28. Walsing. p. 107.

(70) Rymer. Fœd. t. 3. p. 557—563.

some foundation for what was surmised by the enemies of the earl of Lancaster; that there was a secret correspondence between that earl and the king of Scots (71). However this may be, Robert made an expedition into Ireland this year, to assist his brother in the conquest of that kingdom; but a dreadful famine raging in that country, and a great mortality breaking out among his army, he was obliged to return without effecting any thing considerable, leaving his brother and his trusty followers to struggle some time longer with these difficulties.

While the king of Scots, with the flower of his nobility and fighting men, were absent. Scotland seemed to invite an invader, and present the English with a favourable opportunity of recovering all their losses. King Edward seems to have been disposed to seize this opportunity; for he came to Newcastle at the time appointed for the rendezvous of the army. But the earl of Lancaster, with the barons of his party, and their followers, not appearing, the intended invasion never took effect (72).

The war which had continued so long between England and Scotland, had prevented the English for many years from taking any part in the affairs of the Holy Land; though Edward II. had assumed the cross a little before his father's death. But the pope about this time projecting a new croisade, resolved, if possible, to bring about a pacification between the two British kingdoms, that Edward might be at liberty to fulfil his vow. With this view he published, by his own authority, a truce between them for two years, threatening those who did not observe it with excommunication (73); and sent over two cardinals to negotiate a peace. These cardinals arriving in England in July, and having waited on Edward at Nottingham, proceeded towards Scotland. But Robert Bruce, being dissatisfied with the letters which they had sent to acquaint him of their coming, in which they gave him only the title of *Governor of Scotland*, would not suffer them to enter his kingdom, paid no regard to the truce which the pope had published, and equally slighted the excommunication and interdict which followed (74):

(71) Mon. Malmf. p. 173.

(72) Walsing. p. 107. Rymer. Fœd. t. 3. p. 568.

(73) Rymer. Fœd. t. 3. p. 594. 611. 635.

(74) Id. ibid. p. 707. 727.

A. D. 1317. a proof that this prince was possessed of a spirit superior to the wretched and slavish superstition of the age in which he lived!

Civil dissensions between the royal and Lancastrian parties.

The dissensions in England between the royal party and that of the earl of Lancaster, were again revived, and raged at this time with the greatest violence. The royalists did not scruple to accuse that earl of treason, for not coming to the rendezvous at Newcastle the former year, and for not attending two meetings of parliament this year, the one at Clarendon, the other at Westminster; by which these meetings were rendered abortive (75). The earl excused himself, by alleging that his enemies at court had formed designs against his life. These political animosities were much inflamed by a family quarrel, which broke out at this time between the earl of Lancaster and his lady, whose cause was warmly espoused by the royal party. Alice countess of Lancaster, only child of Henry earl of Lincoln, had been the greatest heiress perhaps that ever was in England, and brought her husband an immense accession both of wealth and power; but being dissatisfied with his conduct, she made an elopement on Monday, May 9, and was received and protected by John de Warrenne earl of Surrey, at his castle of Riegate (76). This was furiously resented by the earl of Lancaster, who flew to arms, and took several castles belonging to the earl of Surrey, and some belonging to the king (77). But when a civil war was thus kindled, the two cardinals above mentioned, the earl of Pembroke, and some other noblemen, interposed; and, by their mediation, an accommodation was patched up, by which all differences were referred to a parliament, appointed to meet at Lincoln January 27, next year (78).

A. D. 1318. The Lancastrian party prevails.

The earl of Lancaster keeping his forces still on foot, the meeting of parliament was put off from time to time; and it did not actually assemble till the month of July, at Northampton (79). At this meeting the earl carried every point to his mind. The famous ordinances were again confirmed, and a standing council, of eight bishops, four earls, and four barons, appointed, who were con-

(75) Mon. Malin. p. 177.

(76) Walsing. p. 108, 109.

(77) Rymer. Ford. t. 3. p. 672, 673.

(78) Id. ibid. p. 668.

(79) Ibid. vol. 3. p. 696, 712.



stantly to attend the king by turns, four every quarter; A. D. 1318. without whose advice he was to perform no act of government (80).

As Robert Bruce owed his crown, and the Scots the recovery of their independency, to the discords and factions in England, so they still continued to make advantage of these discords: for, on the 2d of April this year, they recovered the important town and castle of Berwick, and pushed their destructive incursions into England, as far as Yorkshire (81). Berwick recovered by the Scots.

After the pacification of Northampton, the English began to turn their eyes northward, and to think of putting a stop to the career of their enemies. With this view a parliament was held at York in October (82). While this parliament was sitting, Edward received the joyful news, that the English, under the command of John lord Bermingham, had obtained a complete victory over the Scots in Ireland, on the 14th October, near Dundalk; and that Edward Bruce, with almost all his followers, had fallen in the field of battle (83). He would gladly have taken advantage of this favourable event, and invaded the Scots in their own country, before they had recovered from their consternation occasioned by this great disaster. He even collected some forces for this invasion; but the barons declining to engage in this expedition at so advanced a season of the year, he was obliged to lay aside the design (84). Intended invasion of Scotland frustrated.

Though Edward was very far from being a warlike prince, his animosity against the Scots was so great, and his desire of revenging the dreadful defeat of Bannockburn so strong, that as soon as any degree of tranquillity was restored at home, he always resumed his designs against Scotland. Having spent the winter in the north, he held a parliament at York in the spring of this year; in which an expedition against Scotland was resolved upon. The barons and knights of shires granted an eighteenth, the citizens and burghesses a twelfth, and the clergy a A. D. 1319. The English besiege Berwick.

(80) Rymer, vol. 3. p. 722. Mon. Malmf. p. 185, 186.

(81) T. de la More, p. 594. Muremuth. p. 53. Walsing. p. 111, 112. Fordun, l. 12. c. 37. (82) M. West. Contin.

J. Trakelowe, p. 43. Rymer, vol. 3. p. 733, &c.

(83) T. de la More, p. 594. Trivet. Contin. p. 29. Mon. Malmf. p. 187. Walsing. p. 111.

(84) Rymer, vol. 3. p. 742. 748. Walsing. p. 112.

A.D. 1319. tenth, to defray the expences of it; and all the military vassals of the crown were summoned to appear at Newcastle June 10 (85). As all parties were now, in appearance at least, united, the troops which came to the rendezvous formed a very numerous army, which, marching from Newcastle, invested Berwick by land, September 1, while a fleet from the cinque-ports blocked it up by sea (86).

The Scots make an incursion into England.

The Scots did not attempt the relief of Berwick; but formed a design of surprising and carrying off the queen of England, who lived in great security, with a slender guard, at a village near York. The execution of this design was committed to the renowned sir James Douglas, with a body of chosen troops, who marched into England with great secrecy and expedition. But their intention being discovered, the queen was removed to a place of safety; and the archbishop of York, collecting the militia of the country, marched out September 20; and attacked the Scots. The prelate, and his undisciplined followers, were routed with great slaughter, by Douglas and his hardy veterans (87).

Siege of Berwick raised.

In the mean time the royal army before Berwick made little progress in the siege of that place; which was soon after raised, each party throwing the blame of this miscarriage on the other (88). Commissioners from England and Scotland met at Newcastle December 6, and, on the 21st of that month, concluded a truce between the two kingdoms for two years (89). Thus ended this unfortunate campaign, which sunk the character of king Edward still lower in the eyes of his subjects, and contributed to revive the rage of party, which had been concealed, but not extinguished.

A.D. 1320. Parliament appointed, but did nothing.

Edward, after the conclusion of the truce with Scotland, summoned a parliament to meet at York in January; but the earl of Lancaster refusing to attend, it broke up without doing any business of importance (90).

(85) Mon. Malmf. p. 190. Rymer, vol. 3. p. 787.

(86) Mon. Malmf. p. 192.

(87) Walsing. p. 112. Mon. Malmf. p. 192, 193, 194.

(88) Mon. Malmf. p. 193.

(89) Rymer, vol. 3. p. 803—805. 809. 816.

(90) Rymer, vol. 3. p. 846. 835. 838. 839, 840.

Though

Though it was not uncommon in those times for one king to hold territories of another by feudal tenure, nothing could be more inconvenient. This not only gave occasion to frequent disputes, but obliged the royal vassal to leave his own kingdom, to attend the court of the superior of these territories, to swear fealty, and perform his homage, at the accession of every new lord. The kings of England still held the duchy of Guienne, and the county of Poictou, of the kings of France; and Philip the Long having lately mounted that throne, he summoned his royal vassal of England to attend his court, and would admit of no excuse. Edward, finding himself under a necessity of leaving his kingdom in its present unsettled state, embarked for France on June 19, and returned from thence on July 22 (91).

A. D. 1320.  
Edward's  
journey to  
France.

Soon after the king's return, a parliament was called, to meet at Westminster October 6, in which several good laws were made, for restoring the internal police of the kingdom, which had been much relaxed by the late disorders, and for vindicating the dominion of the crown of England over the narrow seas, which had been invaded by the Flemings (92). But these salutary works of peace were soon succeeded by the horrors of civil war and devastation.

Parliament.

Edward, naturally incapable of long application to serious business, fond of pleasures and amusements, and addicted to the attachments of private friendship to a degree which is hardly credible, had some time ago set his affections on a new favourite. This was Hugh Spenser, chamberlain of the household, a young gentleman of an ancient family, an ample fortune, and an amiable person; but extremely debauched, insufferably insolent, and insatiably covetous. Edward had married him to Eleanor, the eldest sister, and one of the three coheirresses, of the late earl of Gloucester, with whom he obtained almost the whole county of Glamorgan, as her share of that great inheritance (93). But this was far from satiating his unbounded avarice: he encroached on the shares of his two sisters-in-law, and, on various pre-

A. D. 1321.  
Confederacy  
against  
the Spens-  
ers.

(91) *Id. ibid.* p. 861.

(92) *Ryley Placit. Parl.* p. 401.

(93) *Dugdale Baron.* vol. 1. p. 389.

A. D. 1322. tences invaded the rights and properties of 'almost every baron and gentleman in the neighbourhood of his estates. This behaviour soon rendered him the object of general terror and detestation, and obliged all who either felt or feared his oppressions to conspire his ruin, in order to prevent their own (94). The earl of Hereford, with many other lords in the marches of Wales, entering into a confederacy in the beginning of this year, raised an army, and committed dreadful ravages on Spenser's estates in Glamorganshire, and other western counties. The confederates, to strengthen their party, and complete the ruin of their enemy, entered into an association, on June 28, with the earl of Lancaster and his partisans; and they all, to the number of about fifty, subscribed an instrument, binding themselves to pursue the two Spensers, father and son, till they had driven them out of the kingdom, or got them into their hands (95). The elder Spenser, whose name was also Hugh, was a person respectable for his age and wisdom, and had long maintained a fair and honourable character; but, by sharing too largely in the fruits of his son's favour with the king, he was involved in the same odium, and exposed to the same accusations with his son (96). The confederates, who, by the accession of the earl of Lancaster and his party, were become very powerful, advanced with their army towards London, destroying the houses and plundering the estates of the elder Spenser in their way. When they arrived at St. Alban's, they sent a message to the king, demanding the banishment of the two Spensers; to which he returned this mild answer, that the elder Spenser was beyond seas in his service, and the younger at sea guarding the cinque-ports; and that they could not be legally banished without a trial. The confederates, far from being satisfied with this answer, advanced with their army, and took possession of London, whose citizens generally favoured their cause (97).

The Spensers banished.

Edward was at this time holding a parliament at Westminster, which he had summoned to meet there July 15, to put an end to these disturbances in an amicable

(94) Mon. Malmf. p. 204, &c. Walsing. p. 113.

(95) Walsing. p. 113. J. Trakelowe, p. 48, 49. Tyrrel, vol. 4.

p. 200.

(96) T. de la More, p. 594.

(97) Walsing. p. 114. J. Trakelowe, p. 48—52.



way. But the confederated lords, instead of attending the parliament, to which they had been summoned, held frequent consultations amongst themselves in London; in which having drawn up a sentence of forfeiture and banishment against the two Spensers, father and son, they brought it down to Westminster-hall, accompanied with an armed force, and got it confirmed by parliament (98). In the same manner they obtained from the king in parliament, August 19, a full pardon to themselves and their followers, for all the treasons, murders, and felonies, which they had committed, from the 1st of March to that day. After this, the confederated barons separated and returned home (99).

A. D. 1322.

Though Edward found himself under a necessity of submitting in this manner to the imperious dictates of the confederated barons, he bore the yoke with much uneasiness; and an incident happened soon after which greatly inflamed his resentment. The queen, going to Canterbury to perform some acts of devotion, sent her marshals to the castle of Leeds, belonging to the lord Badlesmere, to take up her lodgings, and provide for her reception; but the lady Badlesmere refused, first, the marshals, and afterwards the queen herself in person, admission into the castle (100). The haughty princess, enraged at this affront, flew back to London, and excited the king to avenge the indignity which had been offered her. Edward, who had many reasons to be offended with Badlesmere, hastily raised some troops, besieged the castle of Leeds, and obliged it to surrender on the last day of October; and, to strike terror into his enemies, he commanded the governor, and eleven inferior officers of the garrison, to be hanged (101).

The Spensers, hearing of this spirited and successful exertion of the royal authority, adventured to return to England: their banishment was declared illegal; and they encouraged the king to pursue vigorous measures, and to take vengeance on all his enemies (102). Many other powerful barons, as the earls of Kent and Norfolk

Successes of Edward against the Barons.

(98) Tyrrel, vol. 4. p. 282.

(99) Mon. Malmf. p. 210, 211. Walsing. p. 114. Rymer, v. 3. p. 891.

(100) Walsing. p. 115. J. Trokelowe, p. 52.

(101) Walsing. p. 115. J. Trokelowe, p. 53.

(102) Rymer, vol. 3. p. 907.

A. D. 1322. the king's younger brothers, Pembroke, Richmond, Arundel, Surrey, Athol, Angus, &c. disliking the violent measures of the confederates, and resenting the force which had been put upon them in the late parliament, repaired to the royal standard; and Edward soon saw himself at the head of a very powerful army. That he might give his enemies no time to renew their confederacy and prepare for their defence, he marched with great expedition, about the middle of December, towards the borders of Wales. The royal army met with little opposition in its progress; the castles surrendered as soon as they were summoned, and the barons, surprised and unprepared, either fled, or surrendered themselves, and were thrown into different prisons. The earl of Hereford, and some others, with about three thousand followers, escaped into the north to join the earl of Lancaster (103).

A. D. 1322.  
Lancaster  
defeated  
and taken  
prisoner.

As soon as the earl of Lancaster had heard that the king was raising an army, he began to prepare for his own defence. With this view, he had called a meeting of his partisans in the north, at Doncaster, 29th November last (104). No longer concealing his connections with the king of Scots, he sent John de Moubray and Roger de Clifford to that prince, who entered into a formal alliance with the confederates, engaging to support them with the whole power of his kingdom as soon as the truce expired. In consequence of this alliance, he sent a body of troops, under Thomas Randolph earl of Murray, and the lord James Douglas, two of his best generals, into Northumberland in the beginning of this year (105). The earl of Lancaster having collected his own numerous followers, being joined by the earl of Hereford, and depending on a powerful assistance from Scotland, no longer despaired of success, and marched with his army to obstruct the passage of the royalists over the Trent at Burton. The king having attempted to force a passage at this place in vain, for three days successively, at length passed a ford a few miles higher; and on March 10, the two armies came within sight on the

(103) Knighton, col. 240. Walsing. p. 116. Mon. Malm. p. 214.

(104) Rymer, vol. 3. p. 899.

(105) Rymer, vol. 3. p. 926, 927. Mon. Malm. p. 217. J. Treke-  
lowe, p. 59.

same side of the river. But the earl, either intimidated <sup>A.D. 1322.</sup> by the great numbers and resolute countenances of the royalists, or thinking it imprudent to hazard a battle without his whole force, retired without fighting, and marched northward to meet the Scots, and some other troops, who had not yet joined him. This was a fatal resolution; for this retreat, looking like a flight, discouraged his followers, and made them desert in great numbers. On the 16th March, when he came to Boroughbridge, he found an army on the other side of the river, under the command of sir Simon Warde and sir Andrew de Harcla, ready to dispute the passage. The earl of Hereford was killed in attempting to force the bridge; and the earl of Lancaster being repulsed in endeavouring to pass the river at a ford, returned into the town of Boroughbridge, and was there taken next morning (with about a hundred barons and knights, and a much greater number of gentlemen) and carried prisoner to York. In this manner, these formidable confederates, who a few months before were predominant, were now either killed, captivated, or dispersed (106).

Edward, now triumphant over all his enemies, arrived at Pontefract; and the earl of Lancaster being brought thither from York, was, after a short trial, condemned to be hanged, drawn, and quartered; but, by the king's lenity, was appointed to be beheaded (107). On Monday, March 22, this once potent earl was carried out of Pontefract, his own chief residence, mounted on a lean horse, without a bridle, in a sordid dress, to a hill about a mile distant, and there beheaded, with the same circumstances of mean and savage insult which he had used towards Gavaston a few years before (108): a fate unworthy of his royal blood and princely fortunes, but not altogether unmerited by his factious, turbulent, and rebellious disposition. About eighteen other barons and gentlemen of the party were executed, many escaped beyond seas, and a great number were confined in different prisons (109). Of the many great estates which were

(106) Walsing. p. 116. Mon. Malm. p. 218—222. J. Trokelowe, p. 53—58.

(107) Walsing. p. 116. J. Trokelowe, p. 61.

(108) Walsing. p. 117. Rymer, vol. 3. p. 926.

(109) Walsing. p. 119. T. de la More, p. 596. J. Trokelowe, p. 63. Knyghton, col. 2541.

A. D. 1322. forfeited on this occasion, some few were bestowed on the earls of Pembroke, Richmond, and other barons, who had supported the royal cause; but the far greatest part of them was swallowed up by the blind abandoned avarice of the younger Spenser (110).

Edward's  
imprudent  
use of his  
victory.

If Edward had been capable of making a right use of his present victory, by exercising severity towards a few of the most criminal and dangerous of the vanquished party, shewing mercy to all the rest, and thereby gaining their affections, and dividing the spoils with an equal and prudent hand amongst the loyal barons, he would have laid a solid foundation for the future peace and tranquillity of his reign. But, by suffering his rapacious favourite to seize almost the whole, he drove his enemies to despair, and left his friends in discontent.

**Parliament.** In a parliament which met at York on the 2d May, such of the famous ordinances (so strenuously supported by the Lancastrian party) as were inconsistent with the just rights of the crown, were repealed, the late sentence against the Spensers declared illegal, and an expedition against Scotland resolved upon. The barons and knights of shires granted a tenth, the citizens and burgesses a sixth of their moveables, and the clergy five pence in the mark of their annual revenues, to defray the expences of that expedition (111).

Expedition  
1320 Scot-  
land.

The rendezvous of the army was appointed to be on July 24, at Newcastle; from whence they marched into Scotland (112). The prudent Bruce did not think fit to hazard an engagement with the English, now united amongst themselves, and flushed with their late victories; but retiring before them, and carrying away all kinds of provisions, Edward and his army were soon reduced to great distress, and obliged to return into England (113). The Scots, following the rear of the retreating army, plundered the baggage, took the earl of Richmond and some others prisoners, almost surprised the king himself at Beland abbey, and carried their ravages to the gates of York (114).

(110) Rymer, vol. 3. p. 940, 941. Dugd. Bar. vol. 1. p. 392, 393.

(111) Rymer, vol. 3. p. 944, 952. (112) Ib. ibid. p. 952, 953.

(113) Walsing. p. 116, 117.

(114) Walsing. p. 117. J. Trokelowe, p. 63, 64. Muremut. p. 9.



Andrew de Hercla, who had lately been advanced to the earldom of Carlisle, and the government of the northern counties, for his good service in taking the earl of Lancaster, now entered into some secret engagements with the king of Scots of a suspicious nature, for which he was condemned and executed as a traitor (115). Thus ended this very busy year, in the former part of which Edward had been favoured with a very uncommon flow of success and prosperity.

A.D. 1322.

Andrew de  
Hercla ex-  
ecuted.

Both the British nations being at length tired of this tedious and destructive war, negotiations for a long truce or peace were set on foot about the beginning of this year (116). After many meetings between the English and Scotch commissioners, at Newcastle and other places, a truce was concluded on March 30, 1323, to continue for thirteen years, by which Robert Bruce, though not directly acknowledged king of Scotland, was left in full possession of that kingdom (117). Some endeavours were soon after used to change this truce into a perpetual peace; but without effect (118).

A.D. 1323.

Long truce  
between  
England and  
Scotland.

England being now at peace with all her neighbours, and within herself, Edward and his favourite flattered themselves that they had overcome all difficulties. But this was only a deceitful calm; and a discerning eye might have observed several signs of an approaching storm. The Spensers, though wallowing in wealth, and basking in the sunshine of royal favour, could hardly appear in any place, without meeting with some indication of the public hatred. A band of desperadoes, under the conduct of one Robert Lewer, ravaged the estates of Hugh, the father, lately created earl of Winchester, and even attempted to seize his person. Several plots were formed to surprise the royal castles, where the state prisoners of the Lancastrian party were confined, in order to set them at liberty; and the famous Roger Mortimer of Wigmore, one of the most daring and dangerous of that party, made his escape out of the tower of London, and got safe to France (119).

Symptoms  
of approach-  
ing trou-  
bles.

(115) Rymer, vol. 3. p. 973. 980. Walsing. p. 113. Rymer, vol. 3. p. 999. vol. 4. p. 4. J. Trokelowe, p. 65, 66.

(116) Rymer, vol. 3. p. 1001—1004.

(117) Rymer, vol. 3. p. 1022. Adam Muremuth, p. 60. Chron. Hen. de Blanforde, p. 705, 706.

(118) Rymer, vol. 4. p. 14.

(119) Rymer, vol. 4. p. 20. Knighton. M. West. Contin. T. de la More, p. 596. Walsing. p. 120. Mon. Malm. p. 224. See

A. D. 1323. Philip *the Long*, king of France, having died in January 1322, was succeeded by his brother Charles *the Fair*, who, according to custom, summoned the king of England to come and perform his homage for his French dominions. Edward, not having complied with this summons, received one more peremptory in August this year, in all the necessary forms of law, requiring him to appear at Amiens on July 1, 1324, at furthest. Some disputes which had lately arisen in Guienne, rendered this affair more serious, and made the king of France insist the more positively on Edward's performing his homage in person (120).

The king  
of France  
summons  
Edward to  
his court.

A. D. 1324. While the day appointed for performing the homage was at a distance, Edward and his favourite enjoyed themselves in great tranquillity; but when it drew near, they became uneasy. A parliament was held at Westminster in the beginning of Lent, which being consulted on the expediency of the king's journey into France, advised to send an honourable embassy to endeavour to procure a delay. In consequence of this advice, the earl of Kent, and the archbishop of Dublin, were sent ambassadors to the court of France (121). The ambassadors were honourably entertained, but had no success in their negotiations. In the mean time the disputes in Guienne had been succeeded by hostilities, which were pushed with spirit and success by the French; and Edward began to make some preparations in England for an expedition into that country, for the defence of his territories. When things were come to this crisis, a private intimation was given to the English ambassadors, that if the queen of England would come over, she would prove the most successful mediatrix, and procure an accommodation on the most favourable terms. The bishop of Winchester, then at Paris, took a journey to communicate this proposal to the court of England (122).

Queen  
Isabella sent  
to France,  
and makes  
a treaty.

Edward, glad of any expedient to avoid a war, and suspecting no danger in this measure, complied with it, and sent the queen to visit her brother the king of France, and negotiate an accommodation between two princes to whom she was so nearly related (123). The first nego-

(120) Rymer, vol. 4. p. 74. 98.

(121) Walsing. p. 120, 121.

(122) Rymer, vol. 4. p. 140. Walsing. p. 121.

(123) Adam Maremuth, p. 63.

tiations of this royal ambassadref were attended with all the success which could have been expected from them. A.D. 1325.  
 She, soon after her arrival, concluded a truce; and, on May 31, a definitive treaty of peace (124). By this treaty, the disputed duchy of Guienne was to be put into the hands of the king of France, who engaged to restore it to Edward as soon as he had done homage for it in person; and it was stipulated, that this ceremony should be performed at Beauvais, on the 29th August. Though some of the terms of this treaty were not perfectly agreeable to Edward, yet, rather than lose Guienne, or engage in a war, he confirmed it (125).

Hugh Spenser, the king's favourite, was now in a most terrible dilemma. His aversion to this voyage to France had been the real cause of all the king's delays; and he had strong reasons for this aversion. On the one hand, he was no stranger to the secret enmity of queen Isabella against him; and therefore durst not accompany his master to the court of France, where she might have opportunities of executing her vengeance. On the other hand, if he staid behind, he was afraid of falling a victim to the public hatred, when no longer protected by the presence of his sovereign (126). For these reasons, Spenser had always opposed this voyage with the greatest violence. But a parliament, which met at London on June 25, having advised the king to execute the treaty, he seemed at length determined, and actually began his journey. He did not long persist in this resolution, so disagreeable to his favourite; for, when he arrived at the abbey of Langedon near Dover, he fell sick, or pretended sickness, and sent to France to obtain a short delay (127).

When Edward and his favourite were in this perplexity, a new and unexpected overture came from the court of France, that, if the king of England would bestow his French dominions on his son Edward prince of Wales, the king of France would accept of the homage of that prince, and grant him the investiture of these territories. This proposal, by the persuasion of Spenser, was eagerly embraced by Edward, and executed with a rapidity

(124) Rymer, vol. 4. p. 153—156.

(126) Mon. Malm. p. 238.

(125) Id. ibid. p. 156.

(127) Rymer, vol. 4. p. 163.

which

A. D. 1325. which is hardly credible. The king conveyed all his French dominions to his son prince Edward, at Dover, on September 10; the prince sailed from that port on the 12th, and did his homage to the king of France, at Beauvais, on the 14th of the same month (128). But the unhappy prince Edward had soon reason to repent of this precipitation.

The queen  
refuses to  
return to  
England.

If the dark designs which now began to be disclosed were really formed before the queen left England, and those successive overtures from the court of France were in consequence of them, it must be confessed, that never any plot was laid with deeper policy, or executed with greater art; and a much wiser prince than Edward might have fallen into the snare. However this may be, it now appeared, that queen Isabella had far other ends in view than making peace between her brother and her husband: for, when that was accomplished, and she was invited to return home, she plainly declared, she never would return till Hugh Spenser was banished from the court and kingdom (129).

The  
queen's in-  
trigue with  
Mortimer.

This declaration was like a clap of thunder to Edward and his favourite; and their consternation was soon after much increased by the intelligence brought them by the bishop of Exeter from the court of France. That wise and loyal prelate, who had been sent by Edward as guardian and counsellor to the prince of Wales, having observed, that the queen of England was continually surrounded with the fugitives and exiles of the Lancastrian faction, and having even discovered the infamous and criminal nature of her connections with Roger Mortimer, who had lately made his escape out of the tower of London, he hastened home in disguise to inform his injured master of these discoveries (130).

Edward's  
efforts to  
recover his  
queen and  
son.

Edward, greatly alarmed, both as a king and husband, wrote, in the most earnest manner, to the queen and prince to return home, and to the king of France to send them back. He called a council of his prelates and nobility to meet at Westminster, November 10, for their advice; and all the bishops agreed to write, in the strongest

(128) Du Tillet *Recueil des Traités*. Rymer, vol. 4. p. 165, 166. Walsing. p. 121. T. de la More, p. 592. Mon. Malm. p. 239.

(129) Walsing. p. 122. Mon. Malm. p. 240, 241.

(130) Mon. Malm. p. 240.



terms, to the queen to return with the prince her son (131). But all these importunities were to no purpose. The cruel and perfidious Isabel, who had already injured Edward in his bed, had formed a plot to deprive him of his crown, perhaps of his life. A. D. 1325.

Though the king of France had not the virtue and generosity to crush those plots which were forming in his court against his unhappy brother-in-law, he did not think fit openly to countenance and support them. This obliged Isabel and her accomplices to seek the protection of some other prince, to enable them to execute their designs. Edward was on friendly terms with the sovereigns of Spain, Portugal, and Flanders, which prevented the conspirators from applying to any of these powers, and obliged them to have recourse to William count of Hainault and Holland. A negotiation was commenced, and in a little time concluded, with that prince, who engaged to furnish the queen with a small fleet and some troops, to enable her to make a descent upon England; in return for which favour, a marriage was contracted, between the prince of Wales and Philippa, the count's second daughter (132). A. D. 1326.  
Prince Edward contracted to Philippa of Holland.

Edward was not ignorant of these preparations which were making for an invasion of his kingdom, and of the correspondence which was carried on between the conspirators abroad and the malecontents at home; and did what he could to secure himself, both against his foreign and domestic enemies. Orders were sent to all the seaports, to search all passengers for letters, and to the sheriffs to seize all suspected persons (133). The warden of the cinque-ports, and the admirals of the north and south, were ordered to have their fleets ready to oppose a descent (134). All the military tenants of the crown were commanded, by proclamation, February 8, to have their followers in readiness; and soon after the prelates received a like command. Orders were also issued to apprehend the emissaries of the queen and prince, and the spreaders of false reports against the king (135). But all Edward's preparati-  
ons.

(131) Rymer, vol. 4. p. 180, 181, 182. T. de la More, p. 598. Adam Muremuth, p. 65. Men. Malmf. p. 242, 243.

(132) T. de la More, p. 598. (133) Rymer, vol. 4. p. 183, 186, &c.

(134) Id. ibid. p. 187, 188, &c.

(135) Id. ibid. p. 200, 202.

A.D. 1326. these royal mandates were very ill obeyed, and in many places entirely slighted.

The queen  
invades  
England.

The queen and her accomplices having spent the summer in making preparations for their intended expedition, embarked on board a small fleet at the port of Dort in Holland; and, after a stormy passage, arrived September 24, at Orewell haven, near Walton, in Suffolk (136). Besides the queen and prince, there came over in this fleet the earl of Kent, who had been betrayed into this conspiracy against his king and brother, Roger de Mortimer, the great mover of this enterprize, with 2757 men at arms, commanded by John de Beaumont, brother to the count of Hainault (137). A small force to invade so great a kingdom, and dethrone so great a king! But they brought with them a whole army of political lies; which did incredible execution, rendered the unhappy Edward odious and contemptible in the eyes of his subjects, and made the deluded people look on the perfidious Isabel and the profligate Mortimer as the most illustrious patriots and deliverers of their country.

The queen  
publishes a  
manifesto  
and is  
joined by  
many.

The queen, soon after her landing, published an artful manifesto, declaring, that she intended no harm to any but the Spensers, and their creatures; that the sole design of her expedition was, to ease the people of their burdens, to reform the disorders of the government, and improve the liberties of the church (138). In a little time she was joined by the earls of Norfolk, Leicester, Pembroke, and other barons; and by the bishops of Norwich, Hereford, Ely, and Lincoln, with their followers, who composed a numerous and powerful army; with which she advanced in pursuit of the king (139).

Edward  
leaves  
London.

Edward was at London when he received the news of the queen's landing; from whence he issued a proclamation, September 28, commanding all his subjects to make war upon and destroy these invaders, except the queen, prince, and earl of Kent; and published a reward of 1000*l.* for the head of Mortimer (140). Having at-

(136) Walsing. p. 123. Analia Sacra, vol. 1. p. 366.

(137) Walsing. p. 123. M. Malm. p. 243.

(138) Knyghton, col. 2761. Ypod. Neust. p. 502. Walsing. p. 124.

(139) Walsing. p. 123. Ypod. Neust. p. 507. T. de la More, p. 598. Adam Muremuth, p. 66.

(140) Rymer, vol. 4. p. 431-433.

tempted in vain to arm the citizens of London in his <sup>A. D. 1326.</sup> cause, he left that city, accompanied by the two Spensers, chancellor Baldock, and a slender retinue, directing his march towards Bristol, where he hoped to raise an army to oppose his enemies (141).

As soon as the king left London, the mob of that place assembled in great multitudes, and proceeded to the most outrageous acts of violence, plundering and murdering all whom they suspected of having any connection with the Spensers, or attachment to the king. Amongst others, they seized the bishop of Exeter, dragged him to the cross in Cheapside, cut off his head, and threw his body into the river (142).

In the mean time the wretched king, abandoned almost by all the world, and closely pursued by a detachment of the queen's army, durst not stay in Bristol; but, leaving that city under the command of the elder Spenser, he passed over into Wales, in hopes of finding more loyalty among the ancient Britons (143).

Bristol was immediately besieged, and in a few days surrendered; by which Hugh Spenser, the father, earl of Winchester, fell into the hands of his enemies; and the queen, with her whole army, coming to Bristol on October 26, this venerable nobleman, in the ninetieth year of his age, was, the day after, without any formal trial, hanged upon a gibbet, and his body cut in pieces, and thrown to the dogs (144). So much had civil rage hardened the hearts, and inflamed the passions, of the humane and generous English!

At the same time and place Edward prince of Wales was declared regent of the kingdom by the prelates and barons in the queen's army; which soon after marched to Hereford, where it continued about a month (145). Here the earl of Arundel was condemned and executed as a traitor, though his chief crime seems to have been his having contracted an alliance with the Spensers, by marrying his eldest son to a daughter of Hugh the younger (146).

(141) Walsing. p. 123.

(142) T. de la More, p. 599. Walsing. p. 124.

(143) Adam Mureth, p. 67. Walsing. p. 125.

(144) Leland's Coll. Cantab. vol. 1. p. 672. Walsingham. p. 125.

T. de la More, p. 599.

(145) Rymer, vol. 4. p. 237.

(146) Knyghton, p. 2545.

A.D. 1326.

Edward  
taken.Spenser ex-  
ecuted.

The king, after his departure from Bristol, having made an unsuccessful attempt to raise an army in Wales, embarked for Ireland, in hopes of finding there some refuge from the pursuit of his enemies. But after beating about for several days in the Severn Sea, contending with contrary winds and stormy weather, he relanded near Swansea, and concealed himself, with a few followers, in the monastery of Neath (147). His retreat was soon discovered; and he fell into the hands of Henry earl of Lancaster on November 16, who conducted him first to Monmouth, from whence he was removed to Kenelworth castle (148). With the king was taken his chancellor Robert Baldock, and, in a neighbouring wood, his most obnoxious and hated favourite Hugh Spenser. This last was conducted to Hereford, where the queen and prince lay with their army; and on November 24, he was there hanged on a gibbet fifty feet high: his head was sent as an agreeable present to the citizens of London, who set it with great triumph upon the bridge (149). Baldock, being a priest, escaped immediate execution; but soon after died in great misery, in the prison of Newgate, of the severe usage which he there received (150).

State of  
England.

England was at this time a scene of great confusion: government was dissolved, the courts of justice shut, and lawless violence every where reigned. The mob of London, and of other cities, who were called *the riflers*, plundered and murdered whom they pleased, without controul (151).

A.D. 1327.

Edward

II. deposed.

The queen and Mortimer, by whose direction all affairs were conducted, now began to discover another part of their plot; which was, to depose the king, whom they had got into their hands, and place the prince of Wales upon the throne, who being but fourteen years of age, was entirely under their management. With this view, they called a parliament, in the name of the prince, as guardian of the kingdom, to meet at Westminster January 7. As soon as the parliament met, which consisted entirely of the accomplices and favourers of the queen, the

(147) Rymer, vol. 4. p. 238, 239.

(148) Walsing. p. 126.

Mon. Malin. p. 244.

(149) Walsing. p. 126. Mon. Malin.

(150) Walsing. p. 126.

(151) M. West. Cont. Walsing. p. 125.



deposition of the king, and the elevation of the prince of Wales to the throne, were brought upon the carpet. But these questions were far from being debated with that calmness which their importance required: the house was every day surrounded by the London mob, and every thing conducted with clamour and violence. At length, on Tuesday the 13th January, the prince was seated on the throne; and a charge, digested into six articles, exhibited against the king; for which he was deposed from his royal dignity, and the prince proclaimed king in his stead (152). The articles of this charge, considering by whom it was brought, were not of so high a nature as might have been expected, consisting of alleged incapacity for government; negligence; spending his time in trifling amusements; violating some of the immunities of the church; banishing, disinheriting, and putting to death many noblemen, meaning those of the Lancastrian faction (153). On this general charge, without any proof, or any opportunity of answering for himself, was this unhappy prince divested of his crown.

When the news of the king's deposition was brought to his cruel and perfidious queen, she counterfeited the most violent and inconsolable grief, shedding a flood of tears, and even falling into fits; and the prince (probably with more sincerity) declared, that he never would accept of the crown in his father's lifetime without his consent. To remove these scruples of the prince, and render this whole transaction the more plausible, the parliament appointed a deputation of their number to attend upon the king at Kenelworth, to intimate to him the sentence of his deposition, and procure his consent (154). The bishops of Hereford and Lincoln, two of this deputation, and the king's most inveterate enemies, were first sent into his presence; and having, by threats and promises, brought him to a feigned submission, the other parliamentary commissioners were introduced. As soon as the wretched Edward beheld them, he sunk down to the floor in a swoon, from whence being recovered, the deputies performed their office; to which the king re-


A. D. 1327.

Commissioners sent to the deposed king.

(152) *Anglia Sacra*, vol. i. p. 367. *Walsing.* p. 126. *Ypedigra Neustria*, p. 508.

(153) *Knyghton*, p. 2765. *Walsing.* p. 127.

(154) *Walsing.* p. 128. *T. de la More*, p. 600.

A. D. 1327.  plied, That he was in their power, and submitted to their will (155). Judge Trussel, who attended the commissioners, in a formal manner, in name of the prelates, earls, barons, and people of England, as their procurator, renounced all homage, fealty, and obedience to Edward (156); and then sir Thomas Blount, high steward, breaking his staff, and declaring all the king's officers discharged from their service, this uncommon ceremony ended, and with it the unprosperous reign of Edward II. on January 20, 1327, after it had continued nineteen years, six months, and fifteen days.

Treatment  
of the de-  
posed king.

That we may not have occasion to resume this mournful subject, we shall attend the degraded monarch to his grave, referring the other public transactions of this year to the succeeding reign, to which they most properly belong. Edward, after his deposition, was for some time committed to the custody of his cousin Henry earl of Lancaster, who treated him with great tenderness and humanity. But this was by no means agreeable to the dispositions and designs of the queen and Mortimer, who therefore took him out of the hands of that nobleman, April 3, and put him into the custody of Thomas lord Berkeley, John de Mautravers, and sir Thomas Gournay, who were each to keep him a month, by turns (157). Even these new keepers were not equally savage, the lord Berkeley treating him with much more humanity than the other two, who probably designed to break his heart by their hard usage (158). They hurried him from castle to castle in the night-time, thinly clothed, and without any covering to his head (159). Mautravers one day commanding him to be shaved with cold and dirty water, the fallen monarch was so much affected with this indignity, that he burst into tears, which bedewing his face, he said with a smile of grief, "Sec, I have" provided clean and warm water, whether you will "or not (160).

Murder of  
King Ed-  
ward.

While this wretched prince was suffering these and many other insults from the hands of his cruel keepers, a great change was gradually working in the sentiments of

(155) Knighton, p. 2550.

(156) Knighton, p. 2550. Mon. Malin. p. 244.

(157) T. de la More, p. 600. Walsing. p. 127.

(158) Ibid. p. 607. Walsing. p. 127.

(159) Ibid. p. 600.

(160) Anonymi Hist. p. 838.

his late subjects in his favour. The people of England A. D. 1327  
 had been wrought up into the most violent rage against  
 the weak, misguided Edward, as a cruel and execrable  
 tyrant, and into the highest admiration of the queen and  
 Mortimer, as angels sent from heaven for their deliver-  
 ance. But when the true characters of these last, and  
 the criminal nature of their union, came to be better  
 known, the people began to open their eyes, to see they  
 had been deluded, and to pity the sufferings of their  
 wretched sovereign. In consequence of this, several  
 schemes were formed by the people of Bristol, the Do-  
 minican friars, and others, for setting Edward at liber-  
 ty (161). But these schemes served only to hasten the  
 cruel fate of this unhappy prince. For the queen and  
 Mortimer, not thinking themselves safe while he was  
 alive, sent orders to their tools, Gournay and Mautravers,  
 to dispatch him immediately. These well-chosen instru-  
 ments of cruelty obeyed this command; and seized the  
 opportunity when the king was at Berkley-castle, and the  
 lord Berkeley confined at Bradley by sickness, they threw  
 the king upon a bed, and thrust a red hot iron through a  
 horn into his fundament, which made him fill the whole  
 castle with his shrieks, and soon put an end to his life by  
 the most exquisite torments (162). Thus perished Ed-  
 ward of Cairnarvon, on the 21st September 1327, in the  
 forty-third year of his age.

Edward II. is said to have borne a great resemblance to  
 his illustrious father in the stature, strength, and beauty of  
 his person; but unhappily the resemblance was not so  
 great in the qualities of the mind. Though not remark-  
 ably deficient in personal courage, he had no talents for  
 war; nor was he better qualified for the conduct of poli-  
 tical intrigues, being passionate, talkative, and irresolute.  
 He was guilty of many follies, but of few vices; and spent  
 his time rather in a frivolous than in a criminal manner.  
 But the most striking feature in this prince's character,  
 was his unbounded and inviolable attachment to his two  
 successive favourites, Gavaston and Sponser. This was  
 the real cause of all the calamities of his reign, the mi-  
 series of his life, and the violence of his death. For  
 these unworthy favourites, by their imprudence, insol-  
 ence, ambition, and avarice, excited universal hatred

(161) Leland, Col. vol. 2, p. 475, 476. Walling. p. 127.

(162) T. de la More, p. 603. Walling. p. 127.

A. D. 1327. and indignation, and brought ruin upon themselves and their too-indulgent master.

Children  
of Edward  
II.

Edward had, by his queen, Isabel of France, two sons and two daughters, viz. Edward, his eldest son and successor, born at Windsor, 13th November 1312; John, his youngest son, born at Eltham, 1st August 1316, died at Perth, unmarried, in 1334; his eldest daughter, Jane, born in the tower of London, and married to David Bruce king of Scotland; and Eleanor, born at Woodstoke, and married to the duke of Guilders.

History of  
Scotland.

All the most important events in the history of Scotland, from the accession of Edward II. to the long truce A. D. 1323, are interwoven with that of England, and have been related. The short interval between that and the time of his death was employed by the illustrious king Robert Bruce, in regulating the internal police of his kingdom, and securing the succession of his crown to his only son David, then an infant; and failing him, to Robert Stewart, the only son of his daughter the princess Marjory (163).

(163) Fordun, l. 13. c. 12;

## SECTION IV.

*The civil and military history of Britain, from the accession of Edward III. 24th January A. D. 1327, to the accession of Richard II. 21st June A. D. 1377.*

A. D. 1327.  
Accession  
of Edward  
III.

THE reign of Edward III. may be said to have commenced on 24th January 1327, as on that day his peace was proclaimed in London, which in those times was the first act of royalty in each reign (1). He was crowned in Westminster abbey, on 1st February, by the archbishop of Canterbury (2).

(1) Rymer, vol. 4. p. 242—246.

(2) Id. ibid. p. 244. Walsing. p. 126.



The parliament which had deposed Edward II. was still sitting, and appointed a council of regency, consisting of the archbishops of Canterbury and York; the bishops of Winchester, Worcester, and Hereford; the earls of Lancaster, Norfolk, Kent, and Surry; the lords Percy, Wake, Ingham, and Ross. The earl of Lancaster was declared chief of this council, and guardian of the young king's person, who was little more than fourteen years of age. But notwithstanding this appointment of a regency, the king and all his authority were in the hands of the queen and Mortimer (3). The same parliament reversed the attainders which had been passed some years before against the late earl of Lancaster and his adherents (4), confiscated the estates of the Spensers and their creatures; granted the sum of 20,000*l.* to the queen to pay her debts, and assigned her a jointure of 20,000*l.* a-year; an immense sum in those times. The queen and her favourite appropriated to themselves the far greatest part of the prodigious treasures and estates of the Spensers, and were very soon as much and as universally hated as their former proprietors.

As the citizens of London had contributed so much to bring about the late revolution, they were rewarded with a pardon of all the acts of violence which they had committed, and with a new charter containing many ample privileges (5). A peace was concluded with France, which put an end to the war in Guienne, which had been made an engine to ruin the late unhappy king (6).

It is highly probable, that the internal tranquillity of the new government would not have been of long continuance, if the attention of all parties had not been engaged by a threatened invasion from a foreign enemy. Though the truce between England and Scotland was not yet expired, Robert Bruce, thinking it dissolved by the deposition of the king with whom it had been made, and looking upon this as a favourable opportunity of making such an impression upon England as would procure him an honourable peace, raised an army, and prepared for an invasion (7).

The English administration, after attempting in vain to bring about an accommodation, likewise prepared for

A. D. 1327.  
Regency  
appointed  
by parliament, &c.

The citizens of  
London  
pardoned.

Invasion of  
England by  
the Scots.

Expedition  
of Edward  
III. in the  
north.

(3) Heming. t. 2. p. 270. Leland's Collection, vol. 2. p. 476.

(4) Rymer, vol. 4. p. 258, 259.

(5) Rym. Fœd. tom. 4.

p. 245, 257, 258.

(6) Rymer, vol. 4. p. 264—266. 280.

(7) Froissart, l. 1. c. 16.

A.D. 1327. war, and raised a gallant army of sixty, some say one hundred thousand men, at the head of which appeared the young king, full of martial ardour. The march of this army was retarded some time at York, by an unfortunate quarrel which happened there between the English archers and the foreign troops under John de Hainault, in which several persons were slain on both sides (8). This quarrel being at last composed, the army marched northward 10th July, and arriving at Durham on the 13th, received intelligence that an army of Scots had passed the Tyne, and committed dreadful ravages all over the country. Edward having rested and refreshed his army at Durham a few days, set out, July 18, in quest of those destroyers. But though he sometimes discovered where they were, by the smoke of burning villages, and other marks of desolation, he could not overtake, or bring them to an engagement. The Scotch army, commanded by the two illustrious chiefs, Randolph earl of Murray and lord James Douglas, consisted of about twenty thousand men, unincumbered with baggage, and all mounted, four thousand of them on good horses, the rest on little galloways, which enabled them to elude the pursuit of a much more powerful enemy (9).

Edward endeavours to find and fight the Scots.

Edward, after spending some days in this fruitless chase, marched northward, passed the Tyne, and posted his army in the route by which he expected the Scots would return into their own country (10). But after spending a week in this position, in great want of provisions, without hearing any thing of the enemy, he re-passed the river. He was now so much at a loss for intelligence, that he promised a pension of 100*l.* a-year to him who should bring the first account of the situation of the Scotch army (11). The hopes of this reward sent many adventurers in search of the Scots; and one Thomas Rokeby having discovered them, brought intelligence that they were encamped, at no great distance, on the south banks of the river Were. Edward marched in great haste towards the enemy, determined to give them battle that very day; but, on his arrival, found, to his inexpressible vexation, that they had chosen their ground so

(8) *Id. ibid.* c. 17. Leland Collect. v. 2. p. 475. Walsing. p. 127. Knighton, col. 2551.

(9) *Proissart*, l. 1. c. 18.

(10) *Id. ibid.* c. 19.

(11) *Rymor*, vol. 4. p. 312. *Proissart*, l. 4. c. 19.

well, that it was dangerous to attack them. Impatient <sup>A. D. 1327.</sup> for an engagement, he sent a challenge to the Scotch commanders to march out and decide the quarrel in a fair open field. The fiery Douglas would perhaps have fallen into this snare, if he had not been restrained by the cooler counsels of his colleague Randolph, who replied, that he paid no regard to the desires of an enemy (12).

The Scots, not thinking themselves perfectly safe in their present situation, marched in great silence, in the night-time, some miles farther up the river, and took possession of a more advantageous camp; and the English army following them the next day, encamped on the opposite bank (13). While the two armies lay here facing one another, the lord Douglas formed the bold design of surprising the king of England in the midst of his army. With this view, having by some means got the word, he entered the English camp about midnight, August 4, attended by two hundred of his most daring followers, and advanced near the royal tent without discovery; but when he was on the point of seizing his prey, the alarm being given, and some of the king's guards making a desperate resistance, he escaped in the dark to a place of safety; and Douglas, having killed about three hundred of the enemy, returned to his friends with little loss (14). The Scots, after this disappointment, resolved on a retreat, which they effected on August 6. By decamping silently in the night, and marching with great expedition, they got the start of the English army so far, that it was thought in vain to pursue them (15). Edward, greatly mortified at the escape of his enemies, marched first to Durham, and then to York, where the army separated (16).

The young monarch breathed nothing but war and revenge against the Scots; but the queen and Mortimer had other designs in view. They imagined it would be a great advantage and security to themselves to have a peace with Scotland, and obtain the friendship, and, in case of need, the assistance, of its king. On the other hand, Robert Bruce, being almost worn out with infirmities, was earnestly desirous of leaving his infant son

Douglas's  
attempt  
to surprise  
Edward.

Peace be-  
tween  
England  
and Scot-  
land.

(12) Froissart, l. i. c. 19.

(13) Id. *Ibid.*

(14) Knyghton, p. 2552. Froissart, l. i. c. 10.

(15) Froissart, l. i. c. 19.

(16) Froissart, l. i. c. 23.

A. D. 1328. at peace with all his neighbours, especially with England. Commissioners from both powers met at Newcastle in November, and settled the articles of a treaty of peace between England and Scotland (17). By one article of this famous treaty, the king of England renounced, for himself, and his successors, all claim to any superiority over the kings or kingdom of Scotland, and agreed to deliver up all evidences of such superiority (18). By another article, a marriage was concluded between David prince of Scotland and the princess Jane, Edward's eldest sister. In consideration of these great advantages, Bruce agreed to pay to England the sum of 30,000 marks; which is said to have been divided between the queen and Mortimer. Though this treaty was exceedingly unpopular in England, and greatly increased the public hatred against the well-known authors of it; yet they had still influence enough to get it confirmed by parliament in April A. D. 1328 (19).

Royal marriages. Though Edward was not yet sixteen years of age, his marriage with Philippa, daughter of William III. count of Hainault and Holland, was solemnized at York, January 24, with great pomp (20). In consequence of an article of the peace with Scotland, the queen-mother of England conducted to Berwick her daughter the princess Jane, who was there married, July 17, to the prince of Scotland. With the princess were delivered up, and carried into Scotland, many of the jewels, charters, and other things, which had been taken from thence by Edward I (21). Thus ended that long and bloody war between the two British kingdoms, which involved them both in very great calamities, and gave birth to that national animosity which laid a foundation for many future wars.

Confederacy against Mortimer. The hatred and jealousy of some of the chief nobility against Mortimer were now become so great, that they declined attending several parliaments which were called this year, at Northampton, York, and Salisbury. At the last of these parliaments, which was held in October, Mortimer was created earl of March, which served equally to increase his insolence and the animosity of his ene-

(17) Rymer, t. 4. p. 328. 335—338.

(18) Rymer, t. 4. p. 338—410.

(19) A. Marimuth, p. 72. Ypodvg. Neust. p. 510.

(20) Knighton, col. 2552. Heming, p. 269. Walsing. p. 128.

(21) Knighton, col. 2553. Fordun, l. 13. c. 14. Carte, vol. 2. p. 397. from *Annal. ad ann. 1377.*



mies The earls of Kent, Norfolk, and Lancaster, with <sup>A. D. 1328.</sup> other discontented barons, meeting at London in December, entered into a confederacy to call Mortimer to an account, for the murder of the late king, for depriving the council of regency of all authority, for embezzling the public treasure, for the dishonourable peace with Scotland, and several other crimes (22).

Both parties now began to raise forces and prepare for war; the barons trusting to their own power and the popularity of their cause, and Mortimer depending on the person and authority of the king, which were in his possession. But the earls of Kent and Norfolk, being princes of little courage or capacity, began to dread the consequences of carrying things to extremity, and, by the intervention of some prelates, made their peace with the court. This obliged the earl of Lancaster soon after to submit to an accommodation, by which all disputes were referred to a parliament, to be called for composing these differences, and reforming the government (23). But other matters intervening, prevented the meeting of this healing and reforming parliament.

Charles the Fair, King of France, having died some time ago without male issue, was succeeded by his cousin Philip de Valois, who had summoned Edward to come over and perform his homage for his French dominions (24). This summons was very unwelcome on several accounts. It ill agreed with the high spirit of Edward to go through the humiliating ceremony of doing homage; but it still worse agreed with his ambitious designs of claiming the crown of France, to give such a formal recognition of Philip's right to that crown. However, as he was not yet prepared for asserting his claim, nor could obtain any further delay, he resolved to comply with the summons, making a protestation before his own council, that what he did was by constraint, and should not be considered as a renunciation of his right to the crown of France. Having taken this precaution, he sailed from Dover on Friday, May 26, did homage to the king of France at Amiens, and returned to Dover on Whit Sunday, June 11 (25). In this short visit Edward was so charmed with the splendour of the court of France, the beauty and richness of

Edward's  
voyage to  
France.

(22) J. Barne's Hist. Ed. III. p. 31.

(23) Knyghton, p. 2554.

(24) Rymer, t. 4. p. 381.

(25) Rymer, t. 4. p. 386, 387. 390.

A. D. 1330. the country, that he became more resolved than ever to assert his fatal claim to that kingdom.

Earl of  
Kent, the  
king's uncle,  
condemned and  
executed.

Though a seeming reconciliation had lately taken place between the earl of Kent and Mortimer, it was far from being sincere. A report prevailed at this time all over England (raised and propagated, as it is believed, by Mortimer and his agents, for the most pernicious purposes), that Edward II. was still alive, and confined in Corfe castle. This report was industriously sent to the ears of the earl of Kent, and the truth of it confirmed by sir James Devernel the governor of Corfe castle, who, though he would not admit the earl to see the king his brother, promised to deliver him a letter. The unwary Kent fell into the snare, wrote a letter to his brother, in which he promised to exert all his power, in conjunction with his other friends, to set him at liberty, and restore him to the throne. This letter he gave to the perfidious governor, who immediately sent it to Mortimer, by whom he had been employed. As soon as the queen and her wicked paramour had got this letter into their hands, they procured a parliament to be called, to meet at Winchester on March 11 (26). Parliaments at this time consisted rather of the chiefs of a faction than the representatives of a free people, few attending them but the partisans of the queen and her favourite. The intended victim, the earl of Kent, was in a very earnest manner invited to this meeting by the king, or rather by those who abused his name; and as soon as he arrived at Winchester he was arrested. On the 16th of March he was condemned by parliament of high treason, on the absurd accusation of designing to raise a dead man to the throne; and on the 19th of the same month this iniquitous sentence was executed (27). While this scene of iniquity was acting, the young king was engaged in a succession of amusements, which left him no leisure for reflection till it was too late.

Birth of the  
Black  
Prince.

Not long after this branch was thus cruelly cut off from the royal family, another sprung up in its room; the young queen being delivered at Woodstocke, June 15,

(26) Concil. M. Brit. p. 551.

(27) Iceland Col. vol. 1. p. 277. Walsing. p. 510. Knighton, p. 2552. Heming. p. 271. R. de Ardenbury, p. 8.

of a son, who was afterwards so well known to the world, <sup>A.D. 1330.</sup> and to posterity, by the name of *the Black Prince* (28).

Nor did Mortimer triumph much longer in his successful villanies. The king, being now near eighteen years of age, and seeing himself a father, resolved to take the reins of government into his own hands, and to emancipate himself from the tutelage of the queen-mother and her minion, whom he had many reasons both to hate and fear. He was encouraged in this design by many noblemen who hated Mortimer; and a plan was laid for seizing him at the next parliament, which was to meet fifteen days after Michaelmas, at Nottingham (29). But it was not so easy to execute this design, Mortimer, both from a principle of vanity, and with a view to safety, being continually attended with a great retinue of armed knights. On his arrival at Nottingham with queen Isabel, they took possession of the castle of that place, with a guard of one hundred and eighty knights; and the queen had the keys of the castle every night delivered to her, which she put under her pillow. The king, at his coming, was admitted into the castle, but only with a few attendants, the rest of his retinue being lodged in the town. In this situation of things, it was impossible to accomplish the design without the assistance of sir William Eland, the governor; who, entering heartily into the king's measures, shewed to the lord Montacute, and the other noblemen intrusted with the execution, a subterraneous passage into the castle, by which they entered early in the morning October 19; and being joined by the king and his attendants within, they seized Mortimer in an apartment adjoining to the queen's (30). This princess most earnestly entreated her sweet son (as she called the king) to have pity on the lovely Mortimer. But her entreaties were not regarded, and he was sent, under a strong guard, to the tower of London. At the same time two of Mortimer's sons, with several of his confidants, were taken, and sent to the same place (31). The same day a proclamation was issued, to acquaint all his subjects, that the king had taken the administration of the government into his own hands; and a new parliament was summoned

(28) Walsing. p. 130.

(29) Knighton, p. 2555.

(30) Knighton, p. 2555. Avesbury, p. 9.

(31) Knighton, p. 2556.

A. D. 1330. to meet at Westminster, November 26, for the trial of the prisoners (32).

Mortimer  
condemned  
and execu-  
ted.

Before this assembly Mortimer was accused of murdering the late king, occasioning the death of the earl of Kent, usurping the government from the council of regency, embezzling the public treasures, and many other crimes; of all which he was esteemed by his peers so notoriously guilty, that he was condemned, without examining any witnesses, to the death of a traitor (33). This sentence was executed 29th November, at a place called *the Elms*, near Tyburn; and his body suffered to hang two days upon the gibbet (34).

Character  
of Mortimer.

Thus perished, by a violent and ignominious death, the profligate, insolent, ambitious Mortimer; who, but a few years before, was almost adored by the deluded people as the deliverer of his country, but now justly abhorred as the murderer of his king. Like all the royal favourites of those times, who resembled one another as much in their characters as in their fates, he was insatiably covetous and insufferably vain; and made such an ostentatious display of his ill-gotten power and wealth, that one of his own sons called him the *King of Folly* (35). A few of his most guilty accomplices were soon after condemned and executed (36).

Treatment  
of the  
queen-  
mother.

The queen-mother, though treated with greater lenity, did not escape censure. She was deprived of her treasures, and enormous jointure, and confined to live at her house at Risings, on a pension of three thousand marks a year (37).

A. D. 1331.

Though Edward was only a few days more than eighteen years of age when he took the reins of government into his own hands, his subjects soon received very sensible advantages from his administration. He exerted his authority with great spirit, in subduing and bringing to justice the numerous gangs of robbers which infested all parts of the country, and were too often protected by the great barons. He took care to have justice strictly and impartially administered; and gave new life and vi-

(32) Rymer, vol. 4. p. 452, 453.

(33) Knighton, p. 2556.

(34) Knighton, p. 2559. Walsing. p. 130.

(35) Knighton, p. 2558.

(36) Leland. Col. t. 2, p. 476.

(37) Knighton, p. 2550.



gour to all parts of the constitution (38). Happy had it been for his own kingdom, as well as for the neighbouring nations, if he had always employed his great talents in these beneficent arts of peace. But it soon appeared that he was deeply tainted with ambition; the vice of great minds, and the source of infinite mischiefs.

Scotland about this time sustained an irreparable loss by the deaths of three of the greatest men that ever fought her battles. These were, the king Robert Bruce, the lord James Douglas, who had been killed in Spain, and Randolph earl of Moray, regent of the kingdom, who died this year, July 20 (39.) He was succeeded in the regency by Donald earl of Marr (40).

By one article of the late peace with England, it was stipulated, that some English noblemen should be restored to their estates in Scotland. The execution of this article was delayed from time to time, for reasons which are not certainly known, by the king of Scots and the regent. Several just and warm remonstrances were made on this subject by the court of England; which produced nothing but excuses from that of Scotland (41).

The English noblemen, seeing no end of these delays, formed a design to attempt a revolution in Scotland, in favour of the Baliol family, as the most effectual way to get possession of their estates in that kingdom. With this view the lord Edward Baliol, who was living as a private man on his estates in France, was invited into England, with promises of assistance in prosecuting his claim to the crown of Scotland, which his father had sometime worn. Edward, who wanted neither courage nor ambition, accepted the invitation; and on his arrival in the north of England, with forty knights in his company, he was joined by the earls of Athole and Angus, the lords Beaumont, Wake, Waren, and several other barons, who raised a body of 2500 men, well armed (42). This was too small a force to make an attempt upon the south of Scotland, where the people were used to arms, and continually upon their guard. They therefore embarked at Ravenspur, and sailing up the frith of Forth, landing at Kinghorn August 6, dispersing, with much ease and

A. D. 1331.

A. D. 1332.

Death of king Robert Bruce, earl of Moray, and lord Douglas.

Claims of English barons in Scotland.

Edward Baliol and some English barons invade Scotland.

(38) Cotton's Abridg.

(39) Fordun. l. 13. c. 14. 19. 21.

(40) Id. ibid. c. 22.

(41) Rymer, vol. 4. p. 461. 471, 472. 518.

(42) Walsing. p. 131.

Hunting. p. 273. Knight. col. 2560.

A.D. 1332. great slaughter, a crowd of country people, who had assembled hastily to oppose their landing (43).

Successes of This first success was followed by others still greater  
Baliol and and more surprising. The earl of Marr, with the assist-  
the English. ance of the noblemen in those parts, collected in a few days an army, as it is said, of 40,000 men. But all the proceedings of this confused rabble were rash and tumultuary. Depending on their numbers, they kept no guard, and were surprised in their camp on the banks of the river Ern, not far from Perth, in the night between the 11th and 12th of August, and routed with great slaughter. Next morning, a great number of fugitives rallying, and ashamed of what had happened, returned to the charge, but with such passionate precipitation, that they were again thrown into confusion, and put to flight. In these two actions the Scotch, besides an incredible number of private men, lost the earls of Marr, Carrick, and Montith, with several other lords, and many gentlemen, which threw the whole kingdom into such consternation, that it was thought proper to send their young king and queen into France for their safety. Baliol pursuing this favourable gale of good fortune, took possession of Perth without resistance, and on the 27th September he was crowned king of Scotland at Scone (44).

Edward  
marches  
into the  
north.

Though the king of England had taken no part publicly in these transactions, it is highly probable that they were not undertaken by his subjects without his knowledge and consent. It is at least certain, that he granted Baliol a safe-conduct for his coming into England; a presumptive proof that he did not disapprove of his design. But however this may be, Edward was holding a parliament at Westminster when he received the news of this surprising revolution in Scotland, and was advised by that assembly to march immediately with a good army into the north, that he might be at hand to act as occasion should require (45).

(43) M. West. Contin. Knughton, p. 2560. R. de Avesbury, p. 22. Hume, p. 272. Ford, l. 12. c. 22.

(44) R. de Avesbury, p. 22, 23. Hume, p. 272, 273, 274. Knughton, p. 2559. Ford, l. 12. c. 22, 23, 24, 25. Buchanan, lib. 9. Wallace, p. 132.

(45) Rymer, l. 4. p. 513, 514, 515.

While

While Edward was on his march into the north, Baliol <sup>A. D. 1332.</sup> executed letters patent at Roxburgh, dated November 23, <sup>Baliol in-</sup> subjecting the crown and kingdom of Scotland to the <sup>jects the</sup> crown of England, engaging to deliver the town of Ber- <sup>kingdom of</sup> wick to Edward, and to marry his sister the princess Jane, <sup>Scotland to</sup> if her marriage with his rival David Bruce could be dis- <sup>England.</sup> solved (46).

Not long after this, Baliol, observing the country in a <sup>Baliol ex-</sup> state of seeming tranquillity, dismissed his troops, and re- <sup>pelled.</sup> tired to Annan with a slender retinue to keep his Christmas; but here he was attacked in the night by sir Archibald Douglas, young Randolph earl of Moray, and sir Simon Frazer, so suddenly, that with great difficulty he got on horseback, without a saddle, and escaped to Carlisle almost naked, leaving his brother Henry dead behind him, and all his baggage in the hands of his enemies. Thus did Baliol lose his crown by a change of fortune more sudden and surprising than that by which he had gained it (47).

Edward was in York when he heard of this second re- <sup>A. D. 1333.</sup> volution in Scotland, and consulted his parliament, which <sup>Edward</sup> met in that city January 5, whether he should content <sup>consults his</sup> himself with the superiority, or attempt to obtain the so- <sup>parliament.</sup> vereignty of that kingdom. But the parliament, for reasons which are not certainly known, did not think fit to give him any advice on that important question (46).

The Scots, not contented with having expelled Baliol, <sup>The Scots</sup> renewed their plundering incursions into the north of <sup>invade Eng-</sup> England; which greatly incensed Edward against them, <sup>land.</sup> and made him hasten his preparations for the re-establishment of Baliol (49). He called a parliament to meet at York, in the beginning of March; which being equally incensed against the Scots for their depredations, no longer observed their former silence, but advised Edward to attempt the recovery of Berwick and the reduction of Scotland, promising to assist him with all their power (50).

Edward was not slow in following an advice so agree- <sup>Edward be-</sup> able to his inclinations. He appointed the rendezvous of <sup>comes Ber-</sup> his army to be at Newcastle, May 2, from whence he <sup>wick.</sup>

(46) Id. *ibid.* p. 536, 537, 538, 539.

(47) Walsing. p. 132. Knyghton, p. 2561. Fordun, l. 13. c. 25.

(48) Cotton's Abridg. p. 14.

(49) Rymer, t. 4. p. 551, 552. Heming. p. 274.

(50) Walsing. p. 133. Knyghton, col. 2562.

A. D. 1333. marched, and invested Berwick on all sides. The place was provided with a numerous garrison, and made a brave defence; but the siege was pushed with so much vigour, that it was obliged to capitulate on July 16, and agreed to surrender on Tuesday the 20th, at sun-rising, if not relieved before that time; and sir W. Keith, governor of the town, was allowed to go to the regent of Scotland, and solicit relief (51).

Battle of  
Hallidon  
hill.

Lord Archibald Douglas, regent of Scotland for king David Bruce, had collected a numerous army, with which he had invaded England, in hopes of drawing Edward from the siege of Berwick to the protection of his own country. But the importunities of sir W. Keith prevailed upon him to change his plan of operations, and march directly towards Berwick for its relief. The Scots army came in sight of that place, Monday July 19, about noon, and found the English army drawn up on Hallidon hill, about a mile north-west of the town, ready to receive them. The Scotch were grievously galled by the English archers in mounting the hill, which made them rush on to the attack with much precipitation. Their first shock was violent; but being bravely sustained by the English, and the regent being killed, they instantly fell into confusion, and fled on all hands, and were pursued several miles by Edward, at the head of the English cavalry, and by the Irish under lord Darcy, with a most dreadful carnage. Besides a prodigious number of private men, the greatest part of the nobility, who adhered to the family of Bruce, were either killed or taken prisoners in this battle. This glorious victory was obtained with very little loss, and was followed by the surrender of the town and castle of Berwick, according to the capitulation (52).

Baliol re-  
stored.

Edward, satisfied with the success of this campaign, left a body of 26,000 men with Baliol to reduce Scotland under his authority; and dismissing the rest of his army, returned into England (53). So many of the heads of the Brucean party had fallen in the late battle, that Baliol met with no further opposition, and held a parliament at Perth, soon after Michaelmas, in perfect tranquillity. At this

(51) Rymer, t. 4. p. 564. 568.

(52) Heming, p. 275, 276, 277. Knighton, p. 2559. Otterborne, p. 215. Buchanan, l. 9. Fordun, l. 13. c. 27, 28. Rymer, vol. 4. p. 568.

(53) Knighton, p. 2560. Walling, p. 131.



parliament Baliol's right to the crown of Scotland was re- <sup>A. D. 1333.</sup>  
cognized, the superiority of England acknowledged, all  
the laws which had been made in the reigns of Robert  
Bruce and his son David repealed, the noblemen who had  
adhered to that family were proscribed, and their estates  
bestowed chiefly on the English noblemen who had contri-  
buted most to this revolution (54). Thus was Baliol once  
more restored to the throne of Scotland.

But this unhappy prince still wanted the firmest support <sup>A. D. 1334.</sup>  
of a throne, the affections of his subjects; and a transac- <sup>Cessions</sup>  
tion which soon after happened, rendered him the object <sup>made by</sup>  
of their sovereign contempt and hatred. He attended the <sup>Baliol to</sup>  
king of England at Newcastle, June 12, and did homage <sup>Edward.</sup>  
in person for the kingdom of Scotland, June 18; and made  
an entire cession of the shires of Edinburgh, Roxburgh,  
Selkirk, Dumfries, Peebles, Haddington, and Linlith-  
gow, with all their towns and castles, to be for ever unit-  
ed to the crown, and incorporated with the kingdom, of  
England (55).

This too liberal concession furnished the friends of the <sup>Unpopula-</sup>  
family of Bruce with a popular topic of declamation a- <sup>city of Ba-</sup>  
gainst this shadow of a king; who not only degraded the <sup>liol.</sup>  
honour of his crown, but dismembered its most valuable  
provinces, and was no better than a tool in the hands of  
the king of England. Even some of Baliol's friends were  
disgusted at this last transaction; and his whole party was  
torn in pieces by their disputes about dividing the spoils of  
their ruined enemies (56).

These circumstances encouraged the chiefs of the Bru- <sup>Attempt to</sup>  
cean party to consult together, in order to take advantage <sup>expel Ba-</sup>  
of the discontents of the people and the divisions of their <sup>liol.</sup>  
enemies. They sent ambassadors to the king of France,  
who had so kindly entertained their young and unfortunate  
king and queen, to solicit assistance for their restoration (57).  
Sir Andrew Moray of Bothwell, who had been regent of  
Scotland for king David Bruce, collecting an army, re-  
duced the north of Scotland to the obedience of his mas-  
ter, and obliged Baliol to retire to Berwick. On this new  
turn of affairs, the earls of Athole, Dunbar, and several

(54) Barnes Hist. ed. 3. p. 82. Rymer, vol. 4. p. 576.

(55) Id. ibid. p. 614—618.

(56) Leland's Collect. vol. 2. p. 554. Ford. l. 13. c. 29.

(57) Froissart, l. 1. c. 33.

A. D. 1334. other barons, deserted him, and embraced the more popular party of his rival.

Edward supports Baliol.

When Edward received intelligence of these commotions in Scotland, he was holding a parliament, which met at Westminster September 19; and having obtained a fifteenth from the barons and knights of shires, and a tenth from the citizens and burgesses, to enable him to prosecute the war with Scotland, he spent the winter in the north of England, and at Roxburgh, in the south of Scotland, that he might be ready to enter upon action in the spring (58). In the mean time, he furnished Baliol with a body of troops, which enabled him to maintain his ground, and keep up the war during the winter.

A. D. 1335. Edward and Baliol invade Scotland.

Edward's warlike operations against Scotland were suspended for some time, by the arrival of ambassadors from the king of France, to negotiate a peace (59). But these negotiations proving abortive, he entered Scotland on July 11, by way of Carlisle, at the head of a very powerful army, while Baliol advanced from Berwick with another at the same time (60). The two kings with their armies joined at Perth, without having met with any considerable opposition. The remainder of this year was spent in undecisive but pernicious plunderings and skirmishes, and in short truces that were ill observed (61).

A. D. 1336. Invasions of Scotland.

Hostilities were suspended for some months, by a truce procured by the agents of the pope and king of France (62); during which a congress was held at Newcastle for negotiating a peace, but without effect (63). The truce expiring May 9, Edward sent an army into Scotland under the command of Henry earl of Lancaster, and soon after followed in person (64). The Brucean Scots not having received the promised succours from France, and being quite unable to meet their enemies in the field, retired to their woods and mountains, leaving all the level and open country a defenceless prey. Edward greatly incensed at these repeated revolts, marched through Athole to Inverness, marking his way with desolation; and returning in the same manner by the sea-

(58) Knyghton, col. 2565. Rymer, vol. 4. p. 628—634.

(59) Knyght. col. 2566.

(60) Rymer, vol. 4. p. 627. 640.

(61) Ib. ibid. p. 674. 675.

(62) Id. ibid. p. 675, 676. 681.

(63) Id. ibid. p. 677. 685. 690.

(64) Rymer, vol. 4. p. 695. Heming. p. 278.

coast, he burnt the city of Aberdeen, and arrived again at Perth about the end of August, having subdued every thing but the hearts of the inhabitants (65). Leaving his brother prince John, and part of his army, with Baliol at Perth, he hastened to meet his parliament at Nottingham, September 23. Here he received the melancholy news of the death of his brother prince John at Perth, and of some hostile enterprises of the Scots (66). Having obtained a supply from his parliament at Nottingham, he flew back to Scotland, and arrived at Perth in the beginning of November. But sir Andrew Moray, the Brucean regent, immediately retired from the siege of Stirling castle to his fastnesses with his followers; and Edward, after carrying desolation into some other parts of that wretched country, left it, and returned to London about Christmas (67).

A. D. 1336.

It had been no secret for some time past, that the king of France, dreading the martial and ambitious spirit of Edward, had resolved to give a very powerful assistance to the party of David Bruce in Scotland, to enable them to protract the war; and that he was making great preparations for that purpose. But Edward determined to prevent him; and, instead of waiting for him on the desolated plains of Scotland, to carry the war into the fertile provinces of France, and boldly assert his claim to that crown. As this fatal claim was the source of long and bloody wars between the two powerful kingdoms of England and France, it will be proper to explain, in a few words, the foundation on which it was built.

Edward resolves to assert his claim to the crown of France.

It would be quite inconsistent with the studied brevity of this work, to enter upon a laborious enquiry into the origin and true meaning of the Salic law, and the rule of succession to the crown of France. It is sufficient to observe, that though the French monarchy had already existed nine hundred years, no female had ever filled that throne; and that the daughters of several ancient kings of France (who died without male issue) had been regularly excluded from the succession, by virtue of some established law or custom. It was also in virtue of this

Foundation of Edward's claim to the crown of France.

(65) Ieland's Collect. vol. 2. p. 555, 556. Heming. p. 278, 279. Knyghton, col. 2568.

(66) Walsing. p. 134. Knyghton, col. 2558. (67) Id. ibid.

A. D. 1337. law or custom, that the two immediate predecessors of Philip de Valois, the present king of France, as well as Philip himself, had succeeded to the crown; as will appear from the following short detail of their successors. Philip the Fair, king of France, at his death, left three sons, Lewis Hutin, Philip the Long, and Charles the Fair, and one daughter, Isabel, queen to Edward II. and mother to Edward III. kings of England. Lewis Hutin succeeded his father, and after a short reign died, leaving one daughter, Joanna, and his queen pregnant, who was delivered of a son who lived only four days; upon which Philip the Long succeeded peaceably to the crown, to the exclusion of his eldest brother's daughter, the princess Joanna. Philip the Long having reigned only a few years, died also without male issue; but left four daughters, Jane, Margaret, Isabel, and Blanch; and was succeeded by his brother Charles the Fair, to the exclusion of all his daughters. Charles the Fair, the youngest of the three sons of Philip the Fair, died February 1, A. D. 1328, leaving one daughter, Maria, and his queen with child. Here this famous controversy began, concerning the right to the regency till the queen was delivered, and to the succession, if she was delivered of a daughter. The claimants were, Philip de Valois, son of Charles de Valois, who was brother to Philip the Fair, and Edward III. king of England, son of Isabel daughter of the same Philip the Fair. This great cause was debated before an assembly of the states of France, the only competent judges. For Philip it was pleaded, that the male issue of Philip the Fair being extinct, and all females, and their descendants, being by the laws and customs of France excluded, he had a clear and undoubted right to the regency, as being the next male heir, the son of Charles de Valois, brother of Philip the Fair. For Edward it was argued, that being son of Isabel, daughter of Philip the Fair, he was nearer in blood to the three last kings of France, being their sister's son, than Philip, who was only their uncle's son; and that though his mother Isabel was by the laws of France excluded on account of her sex, yet he, not being liable to the same objection, ought to succeed. From this state of the case it appears, that the precise point in question between these two princes was this, whether, by the laws and customs of France, not only females, but also their descendants, were excluded from the succession to that crown? Both allowed that



that females were excluded; otherwise neither of them A. D. 1337.  
 could have any right, as there were daughters of all the  
 three last kings of France then living. But they differ-  
 ed widely as to the exclusion of the male descendants of  
 these excluded females. The advocates for Edward  
 maintained, that the sole reason of the law or custom  
 excluding females from the crown was on account of the  
 imbecility of their sex, and supposed incapacity for reign-  
 ing; but this reason not militating against their male de-  
 scendants, they ought not to be excluded. Those who  
 pleaded the cause of Philip, affirmed, that females, hav-  
 ing no right to the succession themselves, could convey  
 no right to their descendants; and that the reason of the  
 law or custom of excluding females from the succession  
 was, not only to prevent the weaker sex from wearing  
 the crown, but also to prevent foreign princes, their de-  
 scendants, strangers to the laws and customs of France,  
 from ascending that throne. They added further, That  
 the exclusion of the descendants of females, as well as  
 females themselves, was so well known, that two princes,  
 one descended from the daughter of Lewis Hutin, and  
 the other from one of the daughters of Philip the Long,  
 who had both a better title than Edward, if there was  
 any strength in his plea, made no claim. Influenced by  
 these arguments, and perhaps a little swayed by their  
 affection to a prince of their own country, the states of  
 France gave a decision in favour of Philip de Valois;  
 who immediately assumed the regency; and the queen  
 being delivered of a daughter, he ascended the throne  
 without any further opposition (68).

Though Edward, naturally ambitious, was no doubt  
 much displeased at this decision; yet he found it necessary  
 to do homage to Philip for his French dominions, and  
 perform several other acts expressive of his acknowledg-  
 ing him as a lawful king of France. It is even probable,  
 that he never would have prosecuted his claim, unless in-  
 vited by some very favourable opportunity, if many oc-  
 casions of quarrel had not arisen between him and Philip,  
 especially about the affairs of Scotland. Philip not only  
 afforded an asylum to the young king and queen of Scot-  
 land, when obliged to abandon their country, but also  
 encouraged their partisans, sending them small supplies

Reason of  
 Edward's  
 asserting his  
 claim.

(68) Specileg. tom. 3. p. 87. Mem. de l'Acad. de B. L. tom. 20.  
 p. 459, &c.

A.D. 1337. of men and money, and was now making great preparations to give them a very powerful aid. Edward, greatly incensed at this and other injuries, resolved to revive his claim to the crown of France, and carry the war into that country.

Edward  
prompted  
by Robert  
d'Artois.

He was much confirmed and encouraged in this resolution by Robert d'Artois (a prince of the blood-royal of France, and king Philip's brother-in-law), who had lately taken shelter in the court of England, where he met with a very kind reception (69). This Robert had many years before maintained a law-suit for the county of Artois, which was adjudged to his rival by a definitive sentence of Philip the Fair, in 1309. Though Robert was obliged to submit to this sentence, he always considered it as oppressive and unjust. But when Philip de Valois, his brother-in-law, mounted the throne of France, he began to entertain hopes of getting this sentence reversed; and presuming, perhaps too much, on the favour of his prince, to whom he was so nearly allied, he was unhappily privy to the forging certain deeds for strengthening his title to the disputed territory (70). The forgery was detected; a sentence of banishment and confiscation was pronounced against Robert; who retired, first into Brabant, and afterwards into England, inflamed with the most violent and implacable rage against Philip, who had behaved, as he thought, with unbecoming severity on this occasion. To gratify at once his resentment against Philip, and to recover the estates and honours which he had lost, this illustrious exile laboured earnestly to persuade Edward of the validity of his title to the crown of France, and of the practicability of making good that title (71). These persuasions were too agreeable not to be successful; and about the beginning of this year, he came to a final resolution to attempt the acquisition of the crown of France, which he believed to be his right.

Edward  
prompted  
by Robert  
d'Artois.

Edward, well knowing the difficulty of the enterprize in which he was engaging, and that without powerful allies on the continent, strong fleets and armies, and a mighty mass of treasure, he could expect no success in

(69) Rymer, t. 4. p. 747. Froissart, l. 1. c. 27.

(70) Froissart, l. 1. c. 26. p. 31.

(71) Froissart, l. 1. c. 29. p. 36.

it, laboured to procure all these with much diligence. A.D. 1337.  
 By his ambassadors, he concluded treaties with the emperor Lewis of Bavaria, the dukes of Brabant and Guelders, the archbishop of Cologne, the marquis of Juliers, the counts of Hainault and Namur, the lords T'auquemont, Bacquen, and some others; who, for certain subsidies, engaged to assist him with their forces in his designs against France (72). The earl of Flanders would have been a most useful ally to Edward on this occasion, on account of the power and wealth of his subjects, and the situation of his country; and he courted his alliance by the most tempting offers. But that prince was steady and warm in his attachment to Philip. This obliged the king of England to cultivate the friendship of a factious demagogue of that country, one James d'Arteville, a brewer in Ghent, who was at the head of a very powerful party against the earl, and really possessed more authority in the rich cities of Flanders than their lawful prince. By the influence of this man, these cities were brought to favour the designs of Edward, and to invite him to land his army in their territories. This whole year was spent in forming these alliances, and making other preparations for this grand expedition (73).

Though Edward had obtained a considerable aid from a parliament which met last year about Michaelmas, he soon found that this would not be sufficient to enable him to fulfil his engagements with his foreign allies, and make the other necessary preparations for the invasion of France. He called another parliament, therefore, to meet at Westminster February 3; and his designs against France were at this time so popular, that he obtained from the prelates, barons, and knights of shires, one half of their wool of this year (74); a very valuable and extraordinary grant! Besides this, he levied money by many other methods. He seized all the tin in Cornwall and Devonshire;—took possession of the lands of all priories alien;—the money, jewels, and valuable effects of the Lombard merchants, the great dealers in money of these times. He demanded certain quantities of bread-corn, oats, and bacon, from each county, borrowed

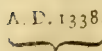
A.D. 1338.  
 Edward collects money for his expedition.

(72) Rymer, vol. 4. p. 752—777, &c. Froissart, l. 1. c. 29. 33. 36.

(73) Froissart, l. 1. c. 30.

(74) Rymer, vol. 5. p. 3.

their

A. D. 1338.  their silver-plate from many abbies, as well as great sums of money, both abroad and at home, and pawned his very crown for 50,000 florins (75). Such mighty efforts were necessary to set this great machine in motion!

Edward embarks for France. Having at length got all things in readiness, and appointed his eldest son Edward guardian of the kingdom, he sailed from the port of Orwell, in Suffolk, July 16, with a gallant fleet and army (76).

Finds his allies backward. At his arrival on the continent, he was far from finding his allies so ready and willing to enter upon action as he expected, presenting him with difficulties, scruples, and excuses, instead of troops. This obliged him to spend this whole year in negotiations. To remove the scruples of the Flemings about fighting against their liege lord the king of France, he assumed, after much hesitation, the dangerous title of *king of France* (77). That he might have a pretence for commanding the German princes, he obtained from the emperor, in an interview he had with that prince September 2, the title of *vicar of the empire* (78). To some of his allies he granted advantages in trade, to others honours, and to all large sums of money; which so exhausted his treasures, that he asked and obtained fresh supplies from a parliament which was held this year in his absence (79). At length, with much difficulty and great expence, he brought all his allies to agree to rendezvous with their troops next year by July 8, in order to begin the war by the siege of Cambray. That Edward might be near at hand to keep his allies steady, and quicken their preparations, he spent the winter at Antwerp.

A. D. 1339. Edward invades France. But after all his labours and expences, Edward found his allies still dilatory and irresolute, and insatiable in their demands for money; which obliged him, not only to stretch his credit to the utmost in borrowing, but also to pawn his queen's jewels (80). It was about the middle of September before he could bring his army into the field; and when he approached the confines of France,

(75) Rymer, vol. 5. p. 3. 48, 49, 50, 51. 60. 101. Walsing. p. 146. Knighton, p. 2570, 2571.

(76) Rymer, vol. 5. p. 64, 65. Walsing. p. 136.

(77) Rymer, vol. 5. p. 66. R. de Avesbury, p. 51—54.

(78) Knighton, p. 2572.

(79) Knighton, p. 2571.

(80) Rymer, vol. 5. p. 33. 91. 110. 118. 120.



the counts of Namur and Hainault refused to march any further, and retired with their forces (81). After this defection, Edward had still an army of 47,000 men with which he ravaged the countries of Cambresis and Vermandois (82).

Philip, who had sufficient warning of this formidable invasion, had not been indolent in preparing for his own defence. He had formed alliances with the kings of Bohemia and Navarre, the dukes of Brittany, Lorraine, and Austria, the palatine of the Rhine, the bishop of Liege, the counts of Deuxpont, Vaudemont, Geneva, and some others, and now appeared at the head of an army of 100,000 men. The two armies lay several weeks within a few leagues of one another; and even faced each other several days in the field in order of battle. But Philip keeping on the defensive, as unwilling to hazard his crown and kingdom in an engagement; and Edward finding no opportunity of attacking a force so much superior to advantage, both armies retired into winter-quarters without having come to action (83). Thus ended this first campaign, in which Edward reaped no real advantage from all the immense sums of money which he had expended, and a prodigious debt of 300,000*l.* which he had contracted (84): a circumstance which would have discouraged a prince of less resolution from proceeding any further in so ruinous an undertaking.

Among other engagements into which Edward had entered with his allies, this was one,—Not to leave the continent till the war was ended. But this engagement he now found it impossible to perform, his presence being indispensably necessary in England to procure supplies for carrying on the war. Having therefore left his queen, and infant son Lionel, afterwards duke of Clarence, with four earls, at Antwerp, as hostages for his return within a week after Midsummer, he set out for England, and landed at Harwich February 21 (85).

Though the people of England, dazzled with the prospect of conquering France, had lately made more

(81) Froissart, l. i. c. 39.

(82) Heming. p. 305, 306. Knyghton, col. 2574.

(83) Froissart, l. i. c. 41, 42, 43. Heming. p. 307—312. Walsing.  
p. 143.

(84) Cot. Abridg. p. 17.

(85) Rymer, vol. 5. p. 140, 141, 171.

A. D. 1340. liberal and frequent grants in parliament than on any former occasion, seeing no end of new demands, they began to be a little more backward. At a parliament which had been held in October last year, the knights of shires refused to agree to an aid proposed by the barons, till they had consulted their constituents; and time was allowed them to the 20th January this year for that purpose. When they met in January, they agreed to the aid, but clogged it with very hard conditions (86). On the king's arrival, a new parliament was summoned to meet March 29, before which he laid a very affecting representation of his necessities. He told them, that, without a very large supply, all his designs would be ruined, and himself dishonoured; that he was obliged to return to Brussels, and to stay there till all the debts which he had contracted abroad were paid. The parliament, moved with this representation, granted him the ninth sheaf, fleece, and lamb, of all their lands for two years; and the citizens and burgesses granted a ninth of their moveables, according to their real value; besides a very great addition to the customs on wool, wool-fells, leather, and other goods. In consideration of this ample supply, the king remitted some old debts, and relinquished the feudal aid for knighting his eldest son and marrying his eldest daughter (87). Some time after the clergy granted a tenth of their revenues for three years. For a present supply of money, the king borrowed great sums from merchants and others, particularly twenty thousand marks from the city of London (88).

Edward  
obtains a  
victory at  
F. ca.

Edward having collected as much money as he could in England, began to think of returning to the continent, agreeable to his engagements, and in order to bring his army into the field. But before he embarked, he received intelligence that a French fleet of 400 sail was waiting near Sluys to intercept him (89). To prevent this, he collected a fleet of 260 stout ships, in which he sailed from Orwell, June 22, towards the coast of Flanders. About ten in the morning on Midsummer-day, the two fleets engaged off the harbour of Sluys, where a most obstinate and bloody battle was fought. But the

(86) Knighton, p. 2571. Cotton. Abridg. p. 17.

(87) Knighton, p. 2576. (88) Hanning, p. 313, 319.

(89) Avelbury, p. 89. Froissart, l. i. c. 51. Rymer, vol. 2. p. 195.

English fleet having gained the wind of the enemy, and their archers and other troops, animated by the presence and example of their heroic king, fighting with irresistible bravery, they at length obtained a most glorious and complete victory. Thirty thousand French were killed in the action, or drowned in attempting to get on shore; 200 of their ships were taken; and Edward, with his victorious fleet, entered the harbour of Sluys next day in triumph (90). A. D. 1340.

This victory was of great advantage to Edward's affairs both at home and abroad. A parliament which met soon after at Westminster took every possible method to hasten the payment of the great supplies lately granted, to enable the king to pursue his good fortune. His allies were animated with such uncommon ardour and unanimity, that on the 9th day of July, (as he wrote to his parliament) he saw himself at the head of a gallant army of 100,000 men, besides a body of 40,000 Flemings (91). Fruits of this victory.

Very high expectations were entertained from these two powerful armies, commanded by so brave and fortunate a prince as Edward, and so wise and experienced a general as Robert d'Artois. But the event was not agreeable to these expectations. The Flemish army formed the siege of St. Omer's on July 22, but being composed chiefly of mechanics unused to arms, they made little progress in the siege; and on the first sally of the garrison, they were seized with a panic, and entirely dispersed, never to be rallied (92). Ill success of Edward's arms.

Edward advanced at the head of his army, and about the end of July laid siege to the city of Tournay, one of the richest and most populous cities of Flanders, zealously attached to the French interest. Philip having received intelligence of this design, had put 14,000 of his bravest troops, under some of his best officers, into Tournay, who, with 15,000 of the inhabitants in arms, formed a garrison which baffled all the efforts of the besiegers (93). Siege of Tournay.

(90) Froissart, l. i. c. 51. Avesbury, p. 54—59. Knyghton, p. 2577. Walsing. p. 148. Rymer, vol. 5. p. 195.

(91) Rymer, vol. 5. p. 197, 198, 199.

(92) Froissart, l. i. c. 63.

(93) Froissart, l. i. c. 54. Knyghton, col. 2578.

A. D. 1340. The king of France, attended by the kings of Scotland, Bohemia, and Navarre, and an illustrious train of many other princes, with a very powerful army, remained at some distance from Tournay in great tranquillity. When the two armies were in this situation, Edward sent a challenge to his enemy, giving him only the name of Philip de Valois, proposing to decide their quarrel by single combat, or with one hundred men on each side, or by a general engagement. To this challenge Philip returned a disdainful answer, reproaching Edward with the violation of his oath of homage, and rebellion against his liege lord (94).

Tournay reduced to great distress.

Edward, despairing of taking Tournay by force, turned the siege into a blockade, in hopes of reducing it by famine. In this he would probably have succeeded, if many of the inhabitants had not been permitted to retire through the quarters of the duke of Brabant. At length, however, the place was reduced to great distress for want of provisions; of which Philip being informed, he advanced with his army within three leagues, in hopes of conveying into it some relief. When the two armies were so near each other, frequent skirmishes happened, and a general engagement was daily expected (93).

Truce concluded.

When things were in this critical posture, a powerful mediatrix interposed, and prevented the further effusion of blood. This was Jane countess dowager of Hainault, mother-in-law to the king of England, and sister to the king of France; who prevailed with these two princes, to agree to a cessation of hostilities for three days, and to appoint plenipotentiaries to treat of an accommodation in that time. The plenipotentiaries met accordingly; and on the last day of the cessation, September 25, concluded a truce, which was to continue from that time to the 25th of June next year. By this truce, in which the Scots were included, if they pleased, all hostilities were immediately to cease, and every thing to remain in its present state (95).

Disadvantageous to Edward.

This truce was highly advantageous and agreeable to the king of France, who thereby gained all his ends without

(94) Rymer, vol. 5. p. 196, 199. Heming. p. 323—326. R. de Avesbury, p. 59—63.

(95) Knighton, vol. 2. p. 78.

(96) Rymer, t. 5. p. 205—210. Knighton, vol. 2. p. 78. R. de Avesbury, p. 63—70.



any hazard. It was no less pernicious and displeasing to the king of England, who was thereby deprived of all the fruits of all his toils and expences. But as it had been negotiated by his chief allies, to whom he was deeply indebted, who were weary of the war, and unwilling to fight, he found himself under a necessity of consenting to it. A. D. 1340.

One design of this truce was to afford time to negotiate a peace; and commissioners from both kings met at Arras, and treated of that matter in presence of the pope's legates, who acted as mediators. But though Edward was now very moderate in his demands, insisting only on being excused from doing homage for his French dominions, Philip would make no concessions, and even refused to treat till Edward had laid aside the title and arms of king of France, and renounced all his claims to that crown; which rendered these negotiations for peace ineffectual. The commissioners however prolonged the truce to the 25th June 1342 (97). Negotiations for a peace.

Though one parliament last year had granted very liberal supplies, and another had made several wise regulations for converting them into money, and remitting them to the king, those entrusted with the execution had acted with so little diligence or fidelity, that few remittances had been made, which was one great cause of the backwardness of the allies, and the miscarriage before Tournay. As soon therefore as Edward could disengage himself after the conclusion of the truce, being greatly chagrined at his debts and disappointments abroad, and at the negligence of his servants at home, he hastened with great secrecy towards the sea-coast, and embarking, landed November 30, about midnight, at the Tower of London, which he found quite unguarded (98).

The first storm of his indignation fell upon those who had the custody of that fortress, who were all imprisoned. He then sent for the bishop of Chichester lord chancellor, and the bishop of Litchfield lord treasurer, who not being able to exculpate themselves to his satisfaction, were deprived of these high offices (99). Many other Edward punishes many of his servants.

(97) Rymer, t. 5. p. 242. 251. 260. Froissart, d. 1. c. 64.

(98) Walling. p. 155. 147. Heming p. 326, 347. Rymer, t. 5. p. 216. Anglia Sacra, t. 1. p. 20.

(99) Walling. p. 147. 152.

A.D. 1340. great officers, judges, clerks of chancery, &c. of which  
 { some were clergymen, were apprehended and put in prison (100).

Edward's  
 quarrel  
 with arch-  
 bishop  
 Stratford.

The greatest delinquent, and the chief object of the king's resentment, escaped his hands. This was John Stratford archbishop of Canterbury, who had acted as prime minister in England in the king's absence. This prelate had been a great promoter of the war with France, encouraging the king to undertake it, by promising to furnish him with constant supplies of money (101). But being gained (as it is supposed) by the pope, who favoured Philip, he had acted in a manner very inconsistent with his promises, retarding rather than forwarding the supplies (102).

Presump-  
 tion of the  
 archbishop.

The archbishop, dreading the king's displeasure, retired to Canterbury; and when he was invited to court, refused to come. At the same time he commenced a most flaming patriot, and zealous defender of the immunities of the church, in order to gain the people and clergy to his interest. In this spirit he wrote one letter to the king, another to the chancellor, and a third to the council, charging them, in not very respectful terms, with violating the great charter, and the immunities of the church, by imprisoning clerks; and threatening them all, except the king and royal family, with excommunication, if they did not immediately release the imprisoned clergymen. In the same strain he wrote to all the bishops of his province, exhorting and commanding them to publish excommunications against all who violated the charters, and the immunities of the church, by imprisoning or doing any injury to clerks (103).

A.D. 1341.  
 Progress  
 and con-  
 clusion of  
 this quar-  
 rel.

The king and his council, perceiving by these proceedings of the primate, that he designed to raise a flame in the kingdom, and imitate his factious predecessor Becket, resolved to act against him with prudence and firmness. To deprive him of his popularity, a manifesto was published in the king's name, charging the archbishop with treachery,—ingratitude,—giving the king ill advice,

(100) *Id. ibid.* Anglia Sacra, vol. 1. p. 20, 21.

(101) Anglia Sacra, vol. 1. p. 24.

(102) Rymer, vol. 5. p. 225, 236, 240. Ang. Sac. vol. 1. p. 24, 37.

(103) Anglia Sacra, vol. 1. p. 21—42. Walsing, p. 150—154. Heming, p. 331—344.

—embezzling his revenues,—and several other crimes (104). To this manifesto the archbishop published a most insolent reply; calling it a scandalous libel, telling the king, in plain terms, that the sacerdotal was superior to the regal power, and flatly denying all the crimes laid to his charge (105). For this an information being preferred against him in the exchequer, he declined the jurisdiction of the court, and appealed to parliament. A parliament accordingly met, April 23, at Westminster. The archbishop, supported by his suffragans and some temporal lords, attempted several times to take his place in parliament; but was not permitted to do it till the charge against him had been examined. This firmness of the king at length overcame the haughtiness of the primate, and obliged him to make his submission publicly in the painted chamber; upon which he was admitted to take his seat, and a committee was appointed to examine his answers, and report their opinion to the next parliament (106). But as this parliament did not meet till two years after, the archbishop had before that time so effectually reconciled himself to his sovereign, that all proceedings against him were cancelled. Thus ended this violent contest between the crown and the mitre, which at its beginning seemed to threaten more serious consequences.

A. D. 1341.

Edward's rash and imprudent scheme of conquering France by the hands of mercenary allies, who had no immediate interest in the event of the war, and did not really desire its success, had involved him in very great difficulties. In prosecuting this scheme, he had lost almost all his conquests in Scotland—had drained England of its money, and most valuable commodities—had stripped himself of his diadem, and his queen of her jewels, which were laid in pawn—and had contracted a great load of debt, which was daily increasing by exorbitant interest, without having conquered one foot of ground, or made the least progress in his design. To complete his vexation and perplexity, he now beheld those allies, on whom he had lavished all his treasures, abandoning him, one after another, as soon as they ob-

Edward's allies desert him.

(104) Walsing. p. 154.

(105) Anglia Sacra, vol. i. p. 27.

(106) Anglia Sacra, p. 39, 40.

A.D. 1341. served his coffers were empty. All these circumstances would probably have discouraged him from prosecuting his claim to the crown of France, if an unexpected event had not happened, which revived his hopes.

Disputed  
succession of  
Brittany.

Arthur II. duke of Brittany, had by his first wife three sons, John, Guy, and Peter; and by his second wife one son, named John de Mountfort, from the name of his mother's family. Arthur had been succeeded by his eldest son, John III. who died this year, April 30, without issue. Guy, the second son of Arthur, had died about ten years before; but had left one daughter, named Jane. Peter, the third son of Arthur, had died young without issue; and John de Mountfort, the son of Arthur by his second wife, was still alive. John III. desirous to preserve his country from the miseries of a disputed succession, had married his niece Jane, the daughter of his brother Guy, to Charles de Blois, nephew to the king of France, and got Charles to be formally acknowledged by the states of Brittany as his presumptive heir and successor in that duchy (107). John de Mountfort made no opposition to this designation during the life of John III. but as soon as that prince died, he declared himself his successor, seized his treasures, and by various means got possession of several of the strongest towns of Brittany; whilst Charles de Blois, not imagining he had any rival, was gone to Paris to perform homage and receive investiture.

Mountfort  
forms an al-  
liance with  
Edward.

But though Mountfort had got these advantages, he was very sensible that he could not maintain possession against his rival Charles, favoured by the states of Brittany, and supported by the king of France, without the assistance of some very powerful ally. Edward king of England was both most likely and most able to afford him that assistance: he hastened over to England, therefore, and entered into a strict alliance with Edward for the advancement of their several claims (108).

Mountfort  
escapes  
from Paris.

John de Mountfort, soon after his return to Nantes, received a summons to attend the court of the peers of France, to shew his title to the duchy of Brittany. This

(107) Froissart, l. 1. c. 65. D'Argentre Hist. de Brit. l. 10. c. 42. l. 11. c. 1, 2, 3, 4, 5, 6. Avesbury, p. 97.

(108) Froissart, l. 1. c. 69. Avesbury, p. 97.



summons he imprudently obeyed, and was commanded by Philip not to leave Paris for fifteen days ; in which time his cause should be determined. But Mountfort, justly apprehensive of being seized, made his escape out of Paris in disguise, and got safe to Brittany (109).

A. D. 1341.

A few days after this escape, the court of peers determined this great cause, and adjudged the duchy of Brittany to belong to Charles de Blois in right of his wife. Charles, having obtained this sentence in his favour, and, which was of more consequence, an army from the king of France to put it in execution, marched into Brittany, and was so fortunate as to take the city of Nantes, and the person of his rival, about the end of October. Mountfort was sent to Paris, and shut up in the tower of the Louvre (110).

Brittany  
adjudged to  
Charles de  
Blois, who  
takes  
Mountfort  
prisoner.

The captivity of this prince seemed to put an end to his pretensions to the duchy of Brittany, and to the hopes of Edward from his alliance. But both these were revived and supported by a person from whom it could not have been expected. This was Jane, wife of the imprisoned Mountfort, and sister to the earl of Flanders, one of the most illustrious heroines in the list of fame. This princess, roused by the captivity of her husband and the impending ruin of her family, assembled the inhabitants of Rennes, where she then resided ; and, holding her infant son in her arms, harangued them in a strain at once so bold and so affecting, that they were seized with the strongest political enthusiasm, and declared their resolution to live and die in her defence. Having made a progress through the other towns of Brittany, and inspired their inhabitants with the same passionate zeal for the interests of her family, she went and shut herself up in the port of Hennebone, expecting the promised succours from England (111).

Adventures  
of Jane,  
Mountfort's  
wife.

The English fleet, commanded by sir Walter Manny, did not sail till the beginning of July, and met with a tedious passage, which exposed the illustrious heroine, to whose assistance it was sent, to the greatest dangers, and gave her an opportunity of performing the most glorious exploits. She was besieged in Hennebone in the spring by Charles de Blois, who pushed the siege with all possi-

A. D. 1342.  
Expedition  
into Brit-  
tany.

(109) Avesbury, p. 69, 70.

(110) Froissart, l. 1. c. 73.

(111) Froissart, l. 1. c. 73.

A. D. 1342. ble ardour, in hopes of taking the countess prisoner, and thereby putting an end to the war. But all his efforts were in vain. The garrison and inhabitants, animated by the presence and example of their female commander, who appeared on the walls completely armed, and was foremost in every danger, repelled all his assaults. At one time, she broke through the besieging army with about 200 horse; and in a few days returning with a reinforcement, cut her way into the town. But at length the walls of the place were so shattered, that it was no longer tenable; and the bishop of Leon was appointed to settle the terms of capitulation with Charles. In this critical moment the countess mounted a high tower, and looking eagerly towards the sea, discerned a fleet at a distance; upon which she cried out in a transport of joy, Succours! succours! the English succours! no capitulation! She was not mistaken: the English fleet soon after entered the harbour, landed the army, and obliged Charles to raise the siege (112).

Expedition  
into Brit-  
tany.

Though these succours which now arrived under Sir Walter Manny delivered the heroic countess from danger, they were not sufficient to enable her to face her enemy in the open field, or to prevent him from taking several towns. She therefore earnestly solicited further assistance from England; and Edward, determined not to abandon so brave and faithful an ally, sailed from Sandwich October 5, with a considerable fleet and army to her aid (113). He landed his troops without opposition; and though his army did not exceed 12,000 men, he divided them, and undertook at once, the sieges of Rennes, Nantz, and Vannes: an imprudent measure! which rendered all his attempts feeble and unsuccessful, and gave his enemies time to collect their forces. Accordingly John duke of Normandy, eldest son of the king of France, advanced at the head of 40,000 men towards Vannes, where the king of England commanded the siege in person (114). This obliged Edward to collect all his troops, and entrench them strongly before Vannes, where he was soon after invested by the French army. It must be confessed,

(112) Froissart, l. i. c. 81.

(113) R. de Avesbury, p. 98. Rymer, vol. 5. p. 343.

(114) Froissart, l. i. c. 98. R. de Avesbury, p. 98—102.

that Edward and his little army were now in a very critical situation ; furrounded by enemies on all hands, and depending for their subsistence on supplies from England, which might be retarded by contrary winds, or intercepted by the enemy's fleet (115). A.D. 1342.

While the two armies lay in this posture, in a state of inactivity, the English not daring to make any attempt on Vannes in the presence of the French army, and the French not daring to attack the English in their entrenchments ; two cardinals arrived to mediate a peace, or at least a truce. These mediators brought about a truce between the kings of France and England, and their allies on both sides, to commence January 19, and to continue to Michaelmas in the year 1346 : during which time a congress should be held in the pope's presence for a general peace. By the articles of this truce, all prisoners were to be set at liberty on both sides : all places, both in Brittany and elsewhere, were to remain in the hands of their present possessors, except Vannes, which was to be sequestered in the hands of the two cardinals, to be delivered by them, at the expiration of the truce, to whom they pleased (116). This truce was confirmed with great solemnity by the oaths of both kings, and of many of their chief nobility ; after which Edward embarked with his army, and having had a tedious and stormy passage, landed at Weymouth, March 2 (117). A.D. 1343.  
A truce  
concluded.

A parliament, which had been summoned before Edward's arrival, met at Westminster April 28, before whom he laid the truce which had been lately concluded, and asked their opinion and advice concerning the proposed negotiations for a peace. The lords and commons having separately deliberated on that subject, came into the royal presence in the White chamber on May 1, where the lords first declared their approbation of the truce, and advised the king to send commissioners to treat of a peace before the pope. Then the commons by sir William Trussell, declared also their approbation of the truce, and of negotiations for a peace, and advised the king to accept of a reasonable one, if he could obtain it ; Confer-  
ences for a  
peace inef-  
fectual.

(115) Froissart, l. 1. c. 98.

(116) Rymer, vol. 5. p. 346. 352. Avesbury, p. 100. Walsing. p. 159.

(117) Rymer, vol. 5. p. 357. Avesbury, p. 109. Knyghton, col. 2583.

A.D. 1343. but if he could not, they promised to assist him with all their power in maintaining his quarrel (118). The king, in consequence of this advice, appointed Hugh Spenser lord of Glamorgan, Ralph de Stafford baron, William de Norwich dean of Lincoln, William Trussel knight, and Andrew de Offord professor of civil law, his commissioners (to whom he afterwards added others) to treat of peace with the commissioners of Philip de Valois before the pope, as a common friend, but not as a judge (119). These conferences were accordingly opened at Avignon, where the pope then resided, October 22, and continued to November 29, when they broke up without effect; though the pope seems to have laboured with great earnestness for a peace.

The truce  
ill ob-  
served.

In the meantime, each party made bitter complaints against the other for violating the truce; which seems to have been very ill observed on both sides (120.) On the one hand, Philip had detained John de Mountfort still in prison, contrary to an article of the truce, and had seized and put to death several noblemen of Brittany, who he suspected had secretly deserted his interest and embraced that of his enemy (121). On the other hand, Edward had endeavoured to strengthen his own party and that of Mountfort in Brittany, and had encouraged the inhabitants of Vannes to expel the garrison of the cardinals, and declare for Mountfort.

A.D. 1344.  
Preparati-  
ons for  
war.

It being now evident that the war would be renewed, both parties endeavoured to strengthen themselves as much as possible. It was with this view that Edward proclaimed in all countries of Europe, a grand tournament or round-table, to be celebrated at Windsor in the beginning of this year, that he might have an opportunity of engaging many brave knights in his service (122). He also summoned a parliament to meet at Westminster June 7, and represented to them, by his chancellor, that Philip de Valois had violated the truce in no fewer than seven articles, and desired their advice what was to be

(118) Rymer, vol. 5. p. 472. (119) Id. ibid. p. 366. 382.

(120) Rymer, vol. 5. p. 367. 387. 394.

(121) Froissart, l. i. c. 100. Knighton, col. 2583. Avesbury, p. 174.

(122) Walsing. p. 164. Froiss. l. i. c. 101. Ashmole, fol. 182. Rymer, vol. 5. p. 400.



done on that occasion. The parliament entered warmly A. D. 1344.  
 into the king's views, advised him to be no longer abused  
 by ill-observed truces, but to prosecute the war with vi-  
 gour, till he obtained an honourable peace; and to ena-  
 ble him to follow this advice, they granted him an aid of  
 two fifteenths from the counties, and two tenths from  
 the cities and burghs. The clergy of the province of  
 Canterbury, at the same time, granted him the tenths of  
 their livings for three years (123). He also used another  
 means of filling his coffers (frequently practised in those  
 times), by summoning all the gentlemen in England who  
 had 40l. a-year to come, by August 10, to receive the  
 honour of knighthood, or pay a sum of money to be ex-  
 cused (124).

Edward having published a manifesto, containing his War with France.  
 reasons for renewing the war before the expiration of the  
 truce, sent a small reinforcement into Brittany to assist the  
 partisans of John de Mountfort, and a greater body of  
 troops into Guienne, under his cousin Henry of Lancaster  
 earl of Derby, and some other English noblemen (125).  
 The earl of Derby acquired great honour to himself and  
 to the English arms, by taking many towns, and defeating  
 the French army commanded by the count de l'Isle,  
 though greatly superior to his own in numbers (126). Af-  
 ter these successes, Derby put his little army into winter  
 quarters at Bourdeaux, and returned to England to solicit  
 a reinforcement.

The pope made some proposals in the beginning of this A. D. 1345.  
 year, for renewing the conferences for a peace; but Ed-  
 ward, who had other designs in view, declined giving his War in  
Gallony  
and Brit-  
tany.  
 consent (127). John de Mountfort, who had languished  
 four years in prison, made his escape in February, by the  
 assistance of some beggars, and soon after came over to  
 England, where he did homage to Edward as king of  
 France for the dutchy of Brittany, on May 20, and re-  
 turned in June with some English troops to support his  
 pretensions (128). By the assistance of these troops he  
 gained some advantages, but did not long enjoy his liberty

(123) Knyghton, col. 2584. Rymer, vol. 5. p. 430.

(124) Rymer vol. 5. p. 446.

(125) Froissart, l. 1. c. 103. Avesbury, p. 113—121.

(126) Froissart, l. 8. c. 104—109.

(127) Rymer, vol. 5. p. 433. 439. 446. 448.

(128) Hist. General. de la France, vol. 1. p. 452.

A. D. 1345. and good fortune, dying of a fever at Hennebone, on September 16. The earl of Derby, who returned into Guienne in June, made a campaign no less glorious and successful than the former (129).

Edward's  
designs in  
Flanders  
disappoint-  
ed.

About this time Edward conceived the hopes of obtaining the earldom of Flanders for his eldest son (lately created prince of Wales) by the intrigues of his great friend James d'Arteville the factious brewer of Ghent. To favour these intrigues he sailed from Sandwich on July 3, accompanied by the prince of Wales and a splendid train of English noblemen, and landed at Sluys. But this project was disconcerted by the death of d'Arteville, who was torn in pieces, July 17, by his great friends the mob of Ghent, whose passions had taken a different turn (130). The miscarriage of this scheme put an end to all thoughts of invading France from the side of Flanders, and Edward returned to England July 26 (131).

A. D. 1346.

Edward  
prepares a  
fleet and  
army to  
assist the  
earl of  
Derby in  
Galicny.

It must appear surprising, that the earl of Derby was permitted to carry on his conquests in Guienne for two years, with little opposition. This was probably owing to the disorder of the finances of France at that time, and to the difficulties which Philip met with in establishing several methods of filling his coffers. These difficulties being now overcome, John Duke of Normandy marched into Guienne, at the head of 100,000 men, and threatened the reduction of that province (132.) Edward being informed by the earl of Derby of this danger, prepared a great fleet and strong army for his relief, and the preservation of Guienne. But these preparations met with many interruptions and delays; and, even after the troops were embarked, the fleet (which consisted of 1000 sail) was detained at Portsmouth from the beginning of June to the 10th July, by contrary winds (133).

Edward in-  
vades Nor-  
mandy.

Godfrey de Harcourt, a Norman nobleman, having been affronted and injured by the king of France, had lately fled to the court of England, and now held the same place in the favour and confidence of Edward, which Robert d'Artois had formerly possessed. This nobleman persuaded Edward to change his design, and instead of

(129) Rymer, vol. 2. p. 458. 459.

(130) Rymer, vol. 5. 474. Froissart, l. 1. c. 16.

(131) Avesbury, p. 122. Knighton, col. 2585. Walsing. p. 163.

(132) Froissart, l. 1. c. 119.

(133) Rymer, vol. 5. p. 492. 508. 514. 518. Avesbury, p. 123.

failing to Guienne, where his enemies were ready to oppose him, to invade Normandy, which was a very wealthy province, wholly unguarded, and would be a very valuable and easy prey (134). <sup>A.D. 1346.</sup> Listening to this wise advice, he sailed from St. Helen's July 10, and landed at La Hogue in Normandy two days after. In this expedition he was attended by the prince of Wales, now fifteen years of age, by the flower of the English nobility, 4000 men at arms, 10,000 archers, and 18,000 foot; an army not half so numerous as that with which he had formerly invaded France from the side of Flanders, but far more formidable, as being composed of his own subjects, and wholly under his command. The troops had been so long on shipboard that it was thought proper to allow them six days to rest and refresh themselves before they entered upon action (135). After this the fleet visited the several sea-ports on the coasts, and destroyed the shipping: while the army, divided into three bodies, ravaged the open country, and took and plundered the towns, which were ill fortified and worse defended. In a few weeks the troops collected an immense booty, which was put on board the fleet, and sent into England (136).

As soon as Philip heard of this invasion, he summoned all his allies, with all the military tenants of the crown of France, except those in the army in Guienne, to rendezvous with their forces at St. Denis; and in the mean time he marched in person, at the head of all the troops he could collect, to Rouen to secure that capital. It was not long before the king of England appeared with his army in sight of that city, with a design to assault it; but not daring to pass the Seine in the face of the French army, he marched along the banks of that river, plundering and burning all the country to the very gates of Paris (137). But he could no where find an opportunity of passing the river; all the bridges being broken down, and the enemy's army attending all his motions on the opposite banks, with a design to inclose him in the country, and surround him and his army.

Edward extricated himself by a stratagem. Having secretly prepared materials for repairing the bridge at

Edward's progress in Normandy.  
Edward passes the Seine, and makes his camp in Flanders.

(134) Froissart, l. i. c. 121.

(135) Avesbury, p. 124.

(136) Froissart, l. i. c. 122—124. Avesbury, p. 123—124.

(137) Froissart, l. i. c. 123. Avesbury, p. 127—129.

A.D. 1346. Poissy, he commanded his army to decamp, and march further up the river; but instantly returned, repaired the bridge, and passed over his army with great celerity, while the enemy, having heard of his departure from Poissy, were pursuing their march up the river. Having thus passed the Seine, and thrown the French army behind him, he marched with great diligence towards Flanders, defeating the militia of Amiens, and a party of men at arms belonging to the king of Bohemia, and burning the suburbs of Beauvais in his march (138).

Edward  
passes the  
Somme.

But when he approached the Somme, he found himself in a more dangerous situation than before. All the bridges on that river were broken down; an army commanded by Gondimar de Faye appeared on the opposite bank to dispute his passage; and the king of France was at his heels, at the head of 100,000 men. In this extremity, he published a reward of 100 nobles to any one who would shew him a ford. A French peasant, named Gobia Agarre, tempted by the hopes of this reward, came to Edward, and promised to conduct him to a ford between Abbeville and the sea, which might be passed at low water. Following this guide, and marching all night, the English army arrived at the ford of Blanchetaque about sun-rising August 24: where they passed the river, beat the army under Gondimar de Faye, and encamped that night at Noyelle, and arrived the next day at Crecy (139).

Edward  
battles at  
Crecy.

Though Edward had thus far overcome all obstacles, and eluded or defeated all his enemies, he became sensible, that it would be extremely dangerous to pursue his march with an army so much superior to his own, especially in cavalry, hanging on his rear. He determined therefore, to make a stand, and to give his pursuers a check. For this purpose, he chose his ground with great judgment on the gentle declivity of a hill, with a thick wood in his rear. He ordered deep entrenchments to be made on each flank, and waited with firmness the approach of his enemies.

Edward  
battles  
Crecy.

The king of France, dreading nothing so much as the escape of the English, began the march of his great army from Abbeville early in the morning, August 26, and continued several hours with great eagerness, till he received

(138) Froissart, l. i. c. 125. R. de Avesbury, p. 136.

(139) Froissart, tom. i. c. 126, 127. Avesbury, p. 138.



intelligence that the English had halted at Crecy, and were prepared to give him battle. He was advised at the same time, not to engage that day, when his troops were much fatigued with their march, and in great disorder; and he was disposed to have taken this advice. But the discipline of these times was so imperfect, that the orders given for halting were not obeyed; and one corps of this mighty host impelling another, they continued advancing till they came into the presence of their enemies in much confusion. A.D. 1346.

Edward had employed the forenoon of this important day in drawing up his army in the most excellent order, in three lines. The first line, which consisted of 800 men at arms, 4000 English archers, and 600 Welsh foot, was commanded by his young, amiable, and heroic son, the prince of Wales, assisted by the earls of Warwick and Oxford, and several other noblemen; the second line, composed of 800 men at arms, 4000 halbardiers, and 2400 archers, was led by the earls of Arundel and Northampton; the last line, or body of reserve, in which were 700 men at arms, 5300 billmen, and 6000 archers, was ranged along the summit of the hill, and conducted by the king in person, attended by the lords Moubray, Mortimer, and others. English order of battle.

When the army was completely formed, Edward rode along the lines, and by his words and looks inspired his troops with the most ardent courage and strongest hopes of victory. He then commanded the cavalry to dismount, and the whole army to sit down upon the grass, in their ranks, and refresh themselves with meat, drink, and rest. As soon as the French army came in view, they sprung from the ground, full of strength and spirit, and stood ready to receive them. Edward re- freshes and encourages his army.

The king of France, assisted by the kings of Bohemia and Majorca, the dukes of Lorraine and Savoye, and several other sovereign princes, with the flower of the French nobility, laboured to restore some degree of order to his prodigious army, and drew it up also in three lines, but very indistinctly formed. The first line was commanded in chief by the king of Bohemia; the second by the earl of Alençon, the king of France's brother; and the third by Philip in person; and each of these lines contained a greater number of troops than the whole English army. French order of battle.

The

A. D. 1346.

The battle of Crecy was begun about three o'clock in the afternoon, August 26, by a great body of Genoese cross-bow men, in the French service, who let fly their quarrels at too great a distance to do any execution, and were presently routed by a shower of arrows from the English archers. The earl of Alençon, after trampling to death many of the flying Genoese, advanced to the charge, and made a furious attack on that corps commanded by the prince of Wales. The earls of Arundel and Northampton advanced with the second line to sustain the prince, and Alençon was supported by as many troops as could crowd to his assistance. Here the battle raged for some time with uncommon fury; and the earl of Warwick, anxious for the fate of the day and the safety of the prince, sent a messenger to the king, intreating him to advance with the third line. Edward, who had taken his stand on a wind-mill on the top of the hill, from whence he had a full view of both armies, asked the messenger, if his son was unhorsed, or wounded, or killed; and being answered, that the prince was unhurt, and performing prodigies of valour, "Go then," said he, "and tell my son and his brave companions, that I will not deprive them of any part of the glory of their victory." This flattering message being made known, inspired the prince and his troops with redoubled ardour; and the king of Bohemia, the earl of Alençon, and many other great men, being slain, the whole first and second lines of the French army were put to flight. Philip, undismayed at the slaughter of his troops, and the fall of so many princes, advanced to the charge with the line under his immediate command. But this body soon shared the same fate with the other two; and Philip, after having been unhorsed, and wounded in the neck and thigh, was carried off the field by John de Hainault, and fled with no more than five knights, and about sixty soldiers in his company, of all his mighty army, which at the beginning of the battle consisted of more than 120,000 men. Such was the famous victory of Crecy, the greatest ever gained by any king of England (1346).

After the battle, the king flew into the arms of the prince of Wales, and grasping him to his bosom, cried,

Rebillion  
of Edward  
and the  
prince of  
Wales.

(1346) Froissart, l. i. c. 128, 129, 130, 131, 132. Walliscot, p. 166. Knighton, p. 236. Aulicourt, p. 102. Rymer, vol. 3, p. 575.

in an ecstasy of joy, "My dear son, you have this day <sup>A. D. 1346.</sup>  
 "shewed yourself worthy of the knighthood which you  
 "lately received, and of the crown for which you have  
 "so bravely fought; persevere in your honourable  
 "course." The prince, as modest as he was brave,  
 sunk down on his knees, his face covered with blushes,  
 and begged his father's blessing (141).

Edward continued with his army at Crecy three days, <sup>Loss of the French.</sup>  
 employed in numbering and burying the dead. The  
 French had left on this bloody scene the king of Bohemia,  
 eleven other princes, 80 bannerets, 1200 knights, 1500  
 gentlemen, 4000 men at arms, and 30,000 other sol-  
 diers (142).

Never did a more glorious year than this pass over the <sup>Success of the English in Guienne.</sup>  
 head of any English monarch, the arms of Edward being  
 every where crowned with the most brilliant successes.  
 In Guienne the duke of Normandy had been obliged to  
 raise the siege of Aiguillon with precipitation, on August  
 20, after having lost a great part of his army before its  
 walls, in many vain assaults; and the earl of Derby made  
 himself master of that whole province, with all its strong  
 places (143).

David Bruce, king of Scotland, having, at the instiga- <sup>David Bruce king of Scotland defeated and taken prisoner.</sup>  
 tion of France, invaded England with an army of 50,000  
 men, was, on October 12, at Nevil's cross, near Dur-  
 ham, defeated in a great battle, taken prisoner, and  
 carried to the tower of London (144). The parliament  
 of England, dazzled with the lustre of so many victories,  
 granted the king a very large supply, to enable him to  
 prosecute the war with vigour.


Edward marched his victorious army from Crecy, <sup>A. D. 1347.</sup>  
 September 1, through the Boulonnois, towards Calais, <sup>Siege of Calais.</sup>  
 which he invested on the 8th of that month; and being  
 well acquainted with its importance, he resolved to make  
 himself master of it if possible; but soon found that it  
 could not be taken by force, without the destruction of  
 great multitudes of his men. He therefore turned the  
 siege into a blockade; and having made strong entrench-

(141) Froissart, l. i. c. 131.

(142) Id. ibid. c. 132. Knyghton, p. 2583.

(143) Froissart, t. i. c. 134, 135, 136.

(144) Avesbury, p. 142. Knyghton, p. 2590. Froissart, l. i. c. 137,  
 138, 139. Rymer, vol. 5. p. 530. 537. 539.

**A. D. 1347.**  ments to secure his army from the enemy, huts to protect them from the inclemency of the weather, and stationed a fleet before the harbour to prevent the introduction of provisions, he resolved to wait with patience till the place fell into his hands by famine. The besieged, discovering his intention, turned seventeen hundred women, children, and old people, out of the town to save their provisions; and Edward had the goodness, after entertaining them with a dinner, and giving them two pence a piece, to suffer them to pass (145).

Victory in  
Brittany.

While Edward lay before Calais, his troops in Brittany, commanded by sir Thomas Gargworth, defeated Charles de Blois, June 20, and took him, with two of his sons, and many other noblemen, prisoners (146).

Efforts at-  
tempt to  
raise the  
siege.

Philip beheld the progress of the siege of Calais with unspeakable anxiety, and determining to make one great effort to save it, he summoned all his allies and vassals to rendezvous at Amiens, in Whitfunweek. By this means he raised an army of 150,000 men, with which he approached the English entrenchments, July 27 (147). But finding these entrenchments impregnable, and every avenue to the town effectually guarded, after sending Edward some absurd challenges to come out and fight him, he decamped, August 2, marched back to Amiens, and disbanded his army (148).

Surrender  
of Calais.

The garrison and inhabitants of Calais had by this time consumed all their provisions, and even eaten all the horses, dogs, cats, and vermin, in the place, and were enduring the most cruel extremities of famine, in hopes of relief (149). But when they beheld the retreat of the French army, these hopes entirely vanished; and the next day the governor John de Vienne appeared upon the walls, and offered to capitulate. Edward, greatly incensed at their obstinate resistance, which had detained him eleven months under their walls, at an immense expence both of men and money, sent sir Walter Manny, an illustrious knight, to acquaint the governor, that he would grant them no terms; but that they must surrender at discretion. At length, however, at the spirited re-

(145) Froissart, l. i. c. 133.

(146) Rymer, vol. 5. p. 549. Avesbury, p. 114. Froissart, l. i. c. 143.

(147) Froissart, l. i. c. 144.

(148) Id. lib. c. 145. Avesbury, p. 161, 162.

(149) Kaynton, col. 255.



monstrances of the governor, and the persuasions of sir <sup>A.D. 1347.</sup> Walter Manny, Edward consented to grant their lives to all the garrison and inhabitants, except six of the principal burgesses, who should deliver to him the keys of the city, with ropes about their necks. When these terms were made known to the people of Calais, they were plunged into the deepest distress; and, after all the miseries they had suffered, they could not think without horror of giving up six of their fellow-citizens to certain death. In this extremity, when the whole people were drowned in tears, and uncertain what to do, Eustace de Pierre, one of the richest merchants in the place, stepped forth; and voluntarily offered himself to be one of these six devoted victims. His noble example was soon imitated by other five of the most wealthy citizens. These true patriots, barefooted and bareheaded, with ropes about their necks, were attended to the gates by the whole inhabitants, with tears, blessings, and prayers for their safety. When they were brought into Edward's presence, they laid the keys of the city at his feet, and falling on their knees implored his mercy in such moving strains, that all the noble spectators melted into tears. The king's resentment was so strong for the many toils and losses he had suffered in this tedious siege, that he was in some danger of forgetting his usual humanity; when the queen, falling upon her knees before him, earnestly begged, and obtained, their lives. This great and good princess conducted these virtuous citizens, whose lives she had saved, to her own apartment, entertained them honourably, and dismissed them with presents (150).

Edward took possession of Calais August 4, and in order to secure a conquest of so great importance, and which had cost him so dear, he found it necessary to turn out all the ancient inhabitants, who had discovered so strong an attachment to their native prince, and to people it with English (151). Soon after this, negotiations for a peace or truce were set on foot under the mediation of the pope; and on September 28, a truce was concluded between the kings of England and France, and their allies on both sides, to continue to July 8, next year; which by suc-

(150) Froissart, l. i. c. 146. R. de Avesbury, p. 166.

(151) Rymer, vol. 5. p. 575.

A. D. 1347. ceeding treaties was prolonged to 1355 (152). Edward having given all necessary orders for repairing the fortifications of Calais, and appointing Amerigo of Pavia, an Italian, who had gained his favours by several brave actions, commander of that place, he embarked with his queen, the prince of Wales, and many noble persons, and after a stormy passage landed at Sandwich October 12 (153).

A. D. 1348. It had been the wise policy of Edward to acquaint his parliament with all his proceedings, and ask their advice on every emergency; by which he gained their confidence and support. Soon after his return, he summoned a parliament to meet, January 14, at Westminster, whose advice he asked concerning the war with France (which was only suspended by a short truce), and concerning the best means of preserving the internal peace of the kingdom. The commons, who had paid very dear for the martial counsels they had formerly given, declined giving any advice about the war, which they suspected would be followed by the demand of a subsidy (154). This parliament not answering the king's views, who wanted an aid, though he had not the confidence to ask it, he dismissed them; and soon after summoned another to meet at the same place, March 17. Before this meeting he laid an alarming representation of mighty preparations making in France, with a design, as he said, to invade England, and destroy the whole kingdom; and demanded an aid to enable him to avert this imminent danger. The commons, after very bitter complaints of their extreme poverty, and of the late severe taxations, granted three fifteenths to be levied in three years, and appropriated to the charges of the war (155).

Plot to betray Calais discovered.

Edward soon found that he had made a very wrong choice of a governor for his new conquest of Calais. That ungrateful and venal Italian had allowed himself to be corrupted by Geoffrey de Charnay, governor of St. Omer's, and engaged for a bribe of 20,000 crowns to betray the town and castle into his hands. Edward received intelligence of this intended treachery, sent for him to London, shewed him that he was acquainted

(152) *Id. ibid* p. 588. R. de Avesbury, p. 167—177.

(153) Rymer, vol. 5. p. 594. Walsing. p. 167.

(154) Parliamentary Hist. vol. 1. p. 268—272.

(155) Parliamentary Hist. vol. 1. p. 269—272. Kaynton. c. 2596.

with his guilt; but promised him a pardon, if he would proceed in his plot, and betray the French into his hands. Almerie joyfully consented to this proposal, returned to his government, and informed Edward of the very hour when the French were to enter Calais. A. D. 1348.

The king, having received this intelligence, departed secretly from London with the prince of Wales, and embarked at Dover with 800 men at arms, and 1000 archers, under sir Walter Manny, with whom he was very privately admitted into the castle of Calais. A few hours after his admission, a body of 100 French were let into the same castle, and having delivered the 20,000 crowns to the governor, a party of English rushed upon them, killed some, and made the rest prisoners. Geoffrey de Charnay, with several brave knights, and a body of men at arms, were waiting in the mean time with great impatience at the Boulogne gate of the city, in expectation of being admitted. But when the gate was opened, they beheld, to their great surprise, an English army march out in order of battle to receive them. Though the French were greatly disconcerted at this unexpected fight, they fought for some time with great resolution. During this dispute, the king had a fierce conflict with Eustace de Ribeaumont, a brave knight, whom he obliged to yield; and all the party were either killed or taken prisoners (156). A. D. 1349.  
Plot defeated.

As Edward was a great admirer of personal valour, he ordered all the French knights and gentlemen to be feasted by the prince of Wales in the great hall of the castle. The king entered the hall in the time of the banquet, and discovered to his prisoners, that he had been present in the late conflict, and was the person who had fought hand to hand with the sieur Ribeaumont. Then addressing himself to that gentleman, he gave him his liberty; presented him with a chaplet adorned with pearls, which he desired him to wear for his sake; and declared him to be the most expert and valorous knight with whom he had ever engaged (157). Generous  
action of  
Edward.

Edward having divested Almerie de Pavia of his command, of which he was so unworthy, and bestowed it on sir John Beauchamp, returned with the prince of Wales Edward  
returns to  
England.

(156) Avebury, p. 180—182. Froissart, l. i. c. 50, 51.

(157) Froissart, l. i. c. 150, 151, 152.

A. D. 1349. to England, to enjoy some repose after so many glorious toils and dangers.

**Great pestilence.** The war between France and England was suspended for almost six years by several truces (158). But the calamities of war were immediately succeeded by a depopulating pestilence, which, in this and the succeeding year, carried off incredible multitudes in all parts of Europe, and particularly in England (159). Those who were seized with this plague commonly died in a few hours, and very few survived three days. It raged with so great violence in London, that 50,000 persons were buried in one year in one burial-place (160). In a word, if we may believe some writers, this dreadful disease swept away, in less than two years, nine tenths of all the people of England, together with the far greatest part of the cattle of all kinds (161). But these accounts are certainly very much exaggerated.

**A. D. 1350. Naval victory.** While England was afflicted with this destructive pestilence, it was threatened with an invasion by a fleet of Spanish pirates, consisting of forty very large ships. Edward, full of spirit and activity, thinking this an enemy not unworthy of his own presence, sailed from Sandwich on board an English fleet, attended by many of his chief nobility, in quest of these destructive rovers. He came up with them, August 29, off Winchelsea, where a fierce conflict ensued; in which the Spaniards were defeated with great slaughter, and twenty-four of their ships taken (162).

**Death of Philip de Valois.** A few days before this naval victory, died Philip de Valois, king of France, surnamed *the Fortunate*, a title which very ill agreed with the latter part of his reign. He was succeeded by his eldest son John I. a prince still more unfortunate than his father (163). One of the first acts of this king was, renewing the truce with England; which, however, was very ill observed (164).

**A. D. 1352. Parliament.** The animosity between the English and French was so great, that neither the pestilence, which had raged with

(158) Rymer, vol. 5. p. 662. 672. 690. 712. 725.

(159) R. de Avesbury, p. 177—179. Knighton, c. 2598.

(160) Stow's Survey, vol. 2. p. 62.

(161) Id. ibid. p. 61. Knighton, p. 2699. Walsing. p. 163.

(162) Walsing. p. 169. R. de Avesbury, p. 185.

(163) Avesbury, p. 154.

(164) Rymer, vol. 5. p. 690.



great violence in both countries, nor the truce which subsisted between them, could restrain them from mutual hostilities. For this reason Edward complained to a parliament, which met in January, A. D. 1352, that the French had been guilty of many violations of the truce; and demanded their advice and assistance in avenging these injuries, and asserting his claim to the crown of France. The commons, after some days spent in deliberation, delivered to the king, in full parliament, a roll, containing a grant of three tenths and three fiftieths, to be levied in three years, together with certain petitions, which they desired might be converted into laws. The aid was thankfully accepted, and the petitions mostly granted (165).

It would be tedious to relate all the little skirmishes which had happened between the English and French in Guienne, Brittany, the marches of Calais, and other places, since the commencement of the truce. But there was an action this year in Brittany of such importance, that it seems to merit a place in history. The marshal de Nesle, who commanded for the king of France and Charles de Blois in that duchy, surprised and surrounded a body of English troops, under sir Walter Bently, August 14, on the plain of Mauron, near Rennes. But the English fought with such astonishing valour, that they obtained a complete victory, killing the marshal himself, with eighty knights, and five hundred gentlemen, and taking a hundred and sixty knights and gentlemen prisoners (166).

Notwithstanding all his glorious successes in his war with France, Edward at this time seems to have been sincerely inclined to peace, which was negotiating under the mediation of the pope. He went so far as to offer, by his plenipotentiaries, the archbishop of Canterbury and duke of Lancaster, to resign his title of king of France, and accept, in lieu of all his pretensions to that crown, the absolute sovereignty of Guienne, Aquitaine, the town and marches of Calais, without the obligation of homage. But king John, no less imprudent, rash, and obstinate, than his father, rejected these offers (167).

(165) Parliament. Hist. vol. 1. p. 277.

(166) Avesbury, p. 189—192.

(167) R. de Avesbury, p. 169. Walsing. p. 170. Knyghton, p. 2607.

A. D. 1354.

State of  
France.

The state of France at this time was not such as to give king John any good reason for behaving with so much haughtiness. Besides the great losses which it had sustained in the late war, it was at present a scene of faction and discord, which had in some places broken out into open hostilities. These disorders were occasioned chiefly by the pride, perfidy, cruelty, and other vices of Charles the Bad, king of Navarre, a prince possessed of every shining endowment, and destitute of every moral virtue. Charles inherited from his mother, Jane, daughter of Louis Hutin, great possessions, and still greater pretensions, in several provinces of France. King John, in order to gain this turbulent prince, and attach him firmly to his interests, gave him his daughter Jane in marriage. Notwithstanding this intimate alliance, the perfidious Charles entered into secret intrigues with the king of England, caused the constable of France to be assassinated, and occasioned great disturbances in this and the preceding year (168). When things were in this unsettled state, the conferences for an accommodation were broken off, and all prospect of peace vanished.

A. D. 1355.

Expedition  
of Edward  
prince of  
Wales  
commonly  
called the  
Black  
Prince.

Edward had for some time past foreseen that the negotiations for peace would prove abortive, and had made great preparations for renewing the war with vigour, at midsummer this year, when the truce expired. He first designed to have sent an army, commanded by the duke of Lancaster, into Normandy, where the king of Navarre had promised to join him with all his forces. But that prince having made his peace with his father-in-law, Edward was obliged to change his measures (169). The prince of Wales was sent into the west to raise an army in those parts, and a fleet was prepared at Plymouth to take them on board. Accordingly, the prince, with a gallant train of English noblemen, and a considerable body of English troops, sailed from that port, September 10, and arrived safe at Bourdeaux. Here he was joined by so many noblemen of the country, with their followers, that he soon found himself at the head of an army of 60,000 men, with which he marched from Bourdeaux, October 5, and ravaged the whole province of Langu-

(168) Froissart, l. i. c. 154. Mezeray, an. 1353.

(169) Mezeray ad an. 1354. Froissart, c. 154.

doc. He several times endeavoured to bring the French <sup>A. D. 1355.</sup> army in those parts to an engagement; but finding this impossible, after having burnt about five hundred villages, and a great number of large and strong towns, he marched back to Bourdeaux about Christmas, and put his army into winter quarters (170).

While the prince of Wales was destroying with fire and sword the south of France, the king of England was spreading desolation through the northern parts of that kingdom. Arriving at Calais in the last week of October, and having joined the forces he brought with him to those which he found there, he made up a gallant army, with which he marched from Calais, November 2, towards St. Omer's, where the king of France lay, in hopes of bringing him to battle. But that prince retiring at his approach, he followed him as far as Hesden, desolating the country; and then returned to Calais, disbanded his army, and embarked for England, where his presence was much wanted (171).

The Scots, though their king was still a prisoner in England, had taken the town of Berwick by surprise, on November 6, and were meditating an incursion into the northern counties (172). Edward, immediately upon his return, held a parliament at Westminster, November 23; and sir Walter Manny, by the king's command, gave the two houses a long detail of the late negotiations for a peace, the expedition to Calais, and the surprisal of Berwick by the Scots; and concluded with demanding an aid to enable the king to bring the war to a speedy and happy issue. The commons, after some deliberation, granted a very liberal aid of fifty shillings on every sack of wool exported for six years (173).

Edward, as soon as the parliament was dissolved, set out for Newcastle, where he had commanded his army to rendezvous, in order to recover Berwick, which he invested January 14, A. D. 1356 (174). The Scotch garrison, sensible that the town was not tenable without the castle (which they had not been able to take), surrendered it in a few days (175). Edward having burnt

Expedition  
of Edward  
into  
France.

The Scots  
surprise  
Berwick.  
A parlia-  
ment.

A. D. 1356.  
Edward re-  
takes  
Berwick.

(170) Avesbury, p. 210—227. Knyghton, col. 2608.

(171) Avesbury, p. 204—209. Walling. p. 171.

(172) R. de Avesbury, p. 209. Knyghton, col. 2611.

(173) R. de Avesbury, p. 210. (174) Rymer, t. 3. p. 829.

(175) Knyghton, col. 2611. R. de Avesbury, p. 228.

A. D. 1356. the towns of Haddington and Edinburgh, and desolated the adjacent country, returned to England soon after Candlemas.

Baliol resigns the crown of Scotland to Edward.

Edward Baliol still bore the title of king of Scotland. But for several years past that title had been only an empty name, without any power or revenue. It was not difficult therefore to persuade this shadow of a king, who was now an old man, and without heirs, to resign all his rights to the crown and kingdom of Scotland to the king of England, for a pension of 2000*l.* a year, and some other advantages. This he accordingly did at Roxburgh, by an instrument dated January 20; and Edward was at great pains to render his title to the crown of Scotland, from the resignation of Baliol, as strong as pen, ink, and parchment could make it, by several subsequent deeds (176).

Excursions of Edward prince of Wales.

Edward prince of Wales marched from Bourdeaux, July 6, with an army of 12,000 (some writers say only 8000) men, and traversed the countries of Agenois, Quercy, Limousin, Auvergne, and penetrated into Berry, plundering and burning many towns and villages as he advanced. Having taken Romorantin, September 4, after a siege of six days, he continued his march through part of Touraine and Anjou, entered Poitou, and on Saturday September 17, encamped at Maupertuis, within two small leagues of Poitiers. The same evening the king of France, with an army of 60,000 horse, besides foot, encamped within a mile of the English (177). It would not have been very difficult for king John to have inclosed the prince of Wales and his little army, and to have reduced them by famine. But this method appeared too slow to his impatient courage, and he resolved to attack them next day. Prince Edward having found that it would be impossible for him to reach Bourdeaux before he was overtaken by the French army, had chosen his ground with great judgment, where he resolved to make a stand. It was a small inclining plain, surrounded with woods, vineyards, hedges, and ditches, and only accessible by one narrow defile in his front. His troops laboured with great ardour in making entrenchments wherever it was

(176) Fymer, t. 5. p. 823—843. Knighton, col. 2611.

(177) Froissart, c. 157—182. Walsing. p. 171. Knighton, col. 2612.



thought necessary, to render the approaches of the enemy still more difficult. A. D. 1356.

Early on Sunday morning, September 18, the French army was drawn up in order of battle, and ready to begin the attack, when the cardinal of Perigord interposed, and earnestly intreated the king to permit him to go to the prince of Wales, and prevent the effusion of blood, by persuading him to surrender. Having obtained permission, he went to the prince, whom he found at the head of his troops ready to receive his enemies. The cardinal opened the intention of his visit; and the prince, not insensible of his own danger, and that of his brave companions, declared his willingness to consent to any terms not inconsistent with his own honour and that of his country. Upon this a negotiation was set on foot, which prevented a battle for that day, but in the end proved abortive. The prince consented to restore all the places, prisoners, and booty he had taken that campaign, and to engage not to bear arms against France for seven years, if he was allowed to march to Bourdeaux without interruption. But the king insisting that the whole English army, with their illustrious leader, should surrender themselves prisoners, the prince gave for his final answer, "That he never should be made a prisoner but sword in hand." The cardinal, despairing of success in his negotiation, retired to Poitiers; and both parties prepared for deciding this important quarrel next day by the edge of the sword (178).

Early on Monday morning, September 19, the prince of Wales, being that day to fight for honour, liberty, and life, against an army eight times the number of his own, drew up his troops in the most excellent order. He placed the capital de Buche, with 600 men, in ambush, with directions to make a circuit, and fall on the enemy's rear as soon as the battle began. He lined the hedges on both sides of the defile leading to his camp with his best archers, and placed a strong body of the same troops at the head of it, in the front of his army. The rest of his forces were formed into three lines; the van commanded by the earl of Warwick, the main body by the prince himself, and the rear by the earls of Salisbury and Suffolk.

A. D. 1356. folk. As soon as these dispositions were made, the prince mounted his horse, and riding gently along the lines, with a countenance in which modesty, goodness, and fortitude, were strongly painted, addressed himself to every corps, exhorting them to fight valiantly in the approaching battle, telling them, that victory did not depend on numbers, but on the will of Heaven; that, for his own part, he was determined to conquer or die; and that England never should have his ransom to pay (179).

Battle of  
Poitiers.

By this time the French army (drawn up in three lines, the first commanded by the duke of Orleans, the king's brother, the second by the dauphin, with his two brothers Lewis and John, the third by the king, attended by his youngest son Philip) was advancing to the charge. The battle was begun by three hundred chosen men in complete armour, and nobly mounted, who were ordered to pass the defile to dissipate the body of archers at the head of it, and make way for the rest of the army. They obeyed these orders with great resolution; but one half of them fell in the passage, and the other was cut in pieces at the outlet. A great body of men at arms, on foot, then entered the defile, commanded by the marshals Clermont and Andrechan; but the former of these generals being killed, and the latter taken prisoner, and many of their men slain by the archers who lined the hedges, and by the first line of the English army, the rest fled back with great terror and precipitation, and threw the whole first line of the French army into confusion. The second line, commanded by the dauphin, then advanced to the charge; but at that instant the captal de Buche issuing from his ambuscade, and making a furious attack upon their flank, they were seized with a panic, and began to fly. The noblemen who had the charge of the dauphin and his two brothers, anxious for their safety, carried them off the field; upon which that whole line disbanded, and fled on all sides. The prince of Wales and the other English generals observing the confusion and flight of their numerous enemies, and determining not to give them time to recover from their consternation, mounted on horseback, with their followers, and rushing out into the plain, completed the disorder. They first encountered and kill-

ed the duke of Athenes, constable of France, and dissipated his brigade; and then falling upon a great body of German horse, they put them to flight, after killing the counts Sarbruck and Nydo, two of their leaders, and taking the count of Nassau, their other general, prisoner. The king of France, with his youngest son by his side, still continued fighting on foot, in hopes of changing the fortune of the day, till the greatest part of his guards being taken or slain, he found himself almost alone among a great body of his enemies, who called upon him to surrender. After inquiring anxiously for his cousin the prince of Wales, and being told that he was in a distant part of the field, he yielded himself, with his son, prisoners to Denis de Morbec, a gentleman of Artois. In the mean time the prince of Wales, ready to faint with fatigue, had been persuaded by his attendants to repose and refresh himself in a little tent. Being assured that the king of France had not fled, he was anxious to know his fate, and sent the earl of Warwick and lord Cobham to gain intelligence. These noblemen soon found the royal captive in extreme danger of being slain, by a crowd of English and Gascon soldiers, who had taken him from Morbec, and were contending violently about the right to his ransom; and having delivered him from this danger, they conducted him to the prince's tent. This amiable prince, who in the heat of the action had been furious as a lion, was now all gentleness and humanity. He received his illustrious prisoner with all the marks of the most profound respect and feeling sympathy; and having ordered a magnificent supper to be served up, he declined the honour of sitting at table; but, standing behind the king's chair, entertained him with soothing and consolatory discourse. The captive monarch was so much affected by this noble deportment of his modest conqueror, that he melted into tears, and declared, that since it was his hard fate to be vanquished and taken prisoner, he rejoiced that he had fallen into the hands of the most valiant and generous prince that ever lived (180).

There are not many examples in history of so great a French <sup>deliverance,</sup> and so complete a victory, as the prince of <sup>ed and taken.</sup>

(180) Froissart, l. i. c. 159. 160, 161, 162, 163, 164. Walsing. p. 271, 172. Rymer, vol. 5. p. 869, 870.

**A. D. 1356.** Wales obtained at this famous battle of Poitiers. The French left dead on this scene of blood, two dukes, nineteen earls, a great number of knights and gentlemen, and about 6000 men at arms, besides other soldiers. The prisoners were still more numerous, and of higher quality, than the slain: for, besides the king and his youngest son, there were taken three princes of the blood, one archbishop, seventeen earls, 1500 inferior barons, knights, and gentlemen; besides several thousand men at arms (181). The ransoms of these prisoners, and the spoils of the French camp, loaded the English army with riches as well as glory. The day after the battle the prince and his army returned thanks to God for their victory; after which the prince thanked his troops for their brave and gallant behaviour in the late battle, and bestowed particular honours and rewards on such as had distinguished themselves. To the lord Audeley in particular he granted 500 marks a-year; which that generous nobleman bestowed on his four brave and faithful esquires, and afterwards received a more ample grant of 600 marks a-year from the prince (182). Having collected the spoils and prisoners, the prince conducted his army by easy marches to Bourdeaux (183). It is impossible to express the joy which the royal family and the people of England felt when they received the news of this glorious victory. The king commanded a solemn thanksgiving to be observed in all the churches (184).

**A. D. 1357.** The prince of Wales spent the winter at Bourdeaux, where, by the mediation of the pope, a truce was concluded between England and France March 23, to continue till Easter 1359 (185). The prince of Wales, with king John, his son Philip, and a gallant train of noblemen, set sail from Bourdeaux April 24, and landed at Plymouth May 5 (186).

**Triumph.** Great preparations had been made at London for the triumphant entry of the victorious prince and his royal captive. Early in the morning, May 24, the lord mayor and aldermen, attended by 1000 citizens, richly attired

(181) P. Aemyl. p. 197. R. de Avesbury, p. 252—255. Knighton, col. 2673. See.

(182) Froissart, l. 1. c. 165. 167. 169. (183) Walsley, p. 172.

(184) Rymer, vol. 7. p. 870.

(185) Id. l. 6. p. 4—10.

(186) Walsley p. 17.



and nobly mounted, received the prince and king, with A. D. 1357. their train, at Southwark, and conducted them into the city. The king, in royal robes, was mounted on a beautiful white steed, and the prince, in a plain dress, rode by his side on a little black palfrey. The procession reached Westminster-hall about noon, where king Edward was seated on a magnificent throne; from whence he descended as soon as the captive monarch came in view, advanced to meet him, and embraced him with all the marks of the most respectful and cordial affection. After these pompous ceremonies were ended, the king of France and his son were lodged in the palace of the Savoy, and entertained with all the kindness and courtesy which the most perfect laws of chivalry required (187).

Few princes ever enjoyed a more perfect felicity than King of Scotland released. king Edward did at this time. Happy in his family, adored by his subjects, admired by all the world, he beheld the kings of the two hostile nations of France and Scotland at once captives in his court. The negotiations for the release of the last of these princes were soon after this brought to a conclusion; his ransom was settled at 100,000 marks, to be paid in ten years, during which time a truce was to subsist between the two nations. David Bruce, having given some of his chief nobility as hostages for the payment of his ransom, was set at liberty October 3, and returned into his own kingdom, after having endured a tedious captivity of eleven years (188).

The deplorable consequences of the battle of Poitiers Deplorable state of France. now appeared in France, and brought that kingdom to the very brink of ruin. After the king was taken prisoner, the reins of government naturally fell into the hands of the dauphin, a young prince of nineteen, who assumed the title of *Lieutenant of the kingdom*, and summoned an assembly of the estates at Paris in the end of the last year. But the members of this assembly, instead of uniting for the relief of their captivated prince, and bleeding country, fell into the most violent factions, and broke up in confusion, without granting any supply. This licentious spirit which appeared in the estates was communicated to the populace of Paris and other cities, seiz-

(187) Froissart, l. i. c. 173.

(188) Rymer, vol. 6. p. 30—65. Knyghton, p. 2617. Froissart, l. i. c. 174. Walsing. p. 173.

**A. D. 1357.** ed the peasants in the country, inflamed the mutinous soldiers, and threw all things into confusion. The dauphin called another assembly of the estates this year in the beginning of November, which behaved in the same factious manner, and separated without applying any remedy to the disorders of their country. To increase these disorders, the king of Navarre, who had been thrown into prison by king John about three years before, escaped from his confinement, and flew to Paris, where his party was strongest. He was met at some distance by his great partisan Stephen Marcel, provost of the merchants, at the head of 10,000 people, and conducted in a kind of triumph into the city. This turbulent prince, being possessed of an uncommon degree of popular eloquence, a dangerous talent in the hands of a bad man, mounted a scaffold, and harangued the people in such a pathetic strain, on the injustice of his own imprisonment, and the oppressions of the government, that their minds were inflamed almost to madness. They massacred the two marshals Clermont and Conflans in the dauphin's presence, who was in danger of sharing the same fate.

**A. D. 1358.**  
*Prudent  
 conduct of  
 the dauphin.*

This young prince behaved with uncommon prudence in this perilous situation. He flattered the provost of the merchants, and the other heads of the faction, with the hopes of the highest honours; and yielded with seeming cheerfulness to all the demands of the king of Navarre. Amongst other things, he sent orders to the governors of certain cities in Normandy, to which that prince pretended a right, to surrender them into his hands. But the governors, suspecting that these orders were extorted, refused to obey; and Charles was so imprudent, as to leave Paris March 2, at the head of an army of his most zealous partisans, to compel them to obedience. The dauphin, taking advantage of the absence of the king of Navarre, and the good humour of the provost of the merchants, got himself declared regent of the kingdom by the parliament; and then retiring privately from Paris, he held an assembly of the estates at Compeigne May 1. The estates, no longer influenced by the factious spirit which reigned in Paris, granted ample supplies, both of men and money; which enabled the dauphin to form the blockade of Paris with a good army.

The king of Navarre, who now pretended a right to <sup>A.D. 1358.</sup> the crown of France, from his mother, Jane, daughter of Lewis Hutin, lay with an army at St. Denis. But he had already lost much of his popularity in that city, by taking a party of English adventurers into his pay, who plundered without distinction the friends and enemies of their present master. The provost of the merchants observing this change in the sentiments of the people, and dreading a total defection, formed a plot to admit the king of Navarre with his army, and to proclaim him king of France; and the 1st of August was fixed for the execution of this plot. But some suspicions arising, the provost was killed in a tumult, when he was on the point of opening one of the gates; and the people being informed of the plot which he had laid, they dragged his dead body through the streets, loaded the king of Navarre, so lately their idol, with a thousand curses, and loudly called for the return of the dauphin, who entered the city soon after, amidst the loudest acclamations. The return of the capital to its obedience had a happy effect on the rest of the kingdom, and the government daily gained new strength (189).

While these things were doing in France, king John <sup>A.D. 1359.</sup> had been negotiating in England with king Edward for his liberty, and a peace between their kingdoms. At length a treaty of peace was concluded and signed by both kings, on March 24, at London, and a copy of it sent into France. The dauphin, who was now reconciled to the king of Navarre, summoned an assembly of the estates, and laid the treaty before them for their advice. But the conditions of peace in this treaty requiring the cession of many rich provinces in France to the crown of England, appeared to this assembly too severe, and they unanimously advised the regent to reject it (190).

King Edward was greatly incensed at this resolution of the regent and estates of France, and declared, that since they were for war, they should have it in its most dreadful forms. The truce which would have expired April 9, had a little before been prolonged to Midsummer (191).

(189) Mezeray Hist. Fran. p. 376, 377, &c. Froissart, l. 1. c. 179, 180, 181, 185, 186, 187.

(190) Rymer, t. 6. p. 134. Froissart, l. 1. c. 201.

(191) Rymer, t. 6. p. 121, 122.

**A. D. 1359.** But as that term was approaching, he made great preparations for an invasion of France. It was October before every thing could be got ready for this grand expedition; and on the 27th of that month Edward arrived at Calais, attended by his four eldest sons, and the flower of the English nobility, with an army of 100,000 men, in a fleet of 1100 ships (192).

Besieges  
Rheims in  
vain.

At the head of this formidable army he marched out of Calais, November 4, and traversing the provinces of Artois and Picardie, he invested the city of Rheims in Champagne, with a view of being there crowned king of France. But the inhabitants, assisted by some noblemen, with their followers, and animated by their archbishop, defended the place so bravely, that after lying near three months before it in the depth of winter, he found it necessary to raise the siege (193).

**A. D. 1360.**  
Paris be-  
sieged.

Edward then directed his march towards Paris, plundering the country as he advanced, and having received 100,000 nobles from the duke of Burgundy to spare his territories, he arrived before the capital of France on the last day of March. During the Easter holidays hostilities were suspended, and some proposals for peace were made; but they came to nothing. Having in vain challenged the dauphin, who was in Paris with an army, to come out and fight him, and having also made a fruitless attempt upon the suburbs of that city, he marched off towards Brittany, resolving to refresh his army for some time in that province, after the severe fatigues of a winter campaign, and to return in summer to besiege Paris in form (194).

Peace with  
France at  
Bretigny.

The dauphin and his council being deeply affected with the deplorable desolations of their country, which were increased by a fresh defection of the perfidious king of Navarre, and dreading still greater miseries, became earnestly desirous of a peace, which they solicited by commissioners, who followed Edward in his march towards Brittany. These solicitations being seconded by the instances of the pope's legate, and the wise and moderate counsels of the excellent duke of Lancaster, at length made an impression on the king's heart; and a treaty of peace was concluded at Bretigny, near Chartres, May 8, on the following terms. The king of France ceded to

(192) Walsing. p. 174.

(193) *Id.* *ibid.*

(194) Froissart, l. i. c. 207. 211. Walsing. p. 173, 174.



the king of England, besides the superiority of Guienne and Ponthieu, the earldom of Poitiers, the fief of Thouars, the countries of Poictou, Xantonge, Agenois, Limousin, Perigort, Quercy, Bigorre, Gavre, Antigoumois, and Rouvergue, with all their cities and castles, in full sovereignty. In the same ample and full manner were yielded to England, on the other side of France, the town, castle, and territory of Calais, with the earldom of Guines. The king of France agreed to pay for his ransom three millions of crowns of gold, at different payments, and to give forty noble hostages for security. The king of France agreed to renounce all alliances and connections with the Scots, and to contract none for the future; and the king of England made the same concessions with regard to the Flemings. John de Mountfort was to be restored to all his possessions in France; and the dispute between him and Charles de Blois, about the duchy of Brittany, was to be referred to commissioners. This famous treaty contained several other articles, relating to the time and manner of king John's being set at liberty, and of his delivering to king Edward the several countries, towns, and castles, and also many regulations for the further security and more effectual execution of the whole. By the twelfth article of this treaty, king Edward renounced all title to the crown and kingdom of France, to the countries of Normandy, Tourain, Anjou, and Main, and to the sovereignty of Brittany and Flanders.

As soon as Edward had finished this great work of peace, he returned to England, and landed at Rye, May 18 (195). In the beginning of July he sent the king of France to Calais, agreeable to an article of the treaty (196). On October 9, he followed to the same place, to finish all regulations for the execution of the treaty, to receive the first payment of the king of France's ransom, and to set that prince at liberty. About the same time the dauphin and his council arrived at Boulogne; and after some days spent in conferences, all particulars were adjusted, and the treaty of peace ratified by both kings, at Calais, October 24 (197). The day after, king John was set at liberty, and Edward accompanied him about a mile out of Calais, where the two kings took their leave of one another,

*The king of France set at liberty.*

(195) Rymer, vol. 6. p. 196.

(196) Id. *ibid.* p. 198.

(197) Rymer, vol. 6. p. 219—229.

**A. D. 1360.** ther, with the strongest expressions of mutual affection and regard (198). On the last day of October, king Edward landed at Dover, and was every where received by his subjects with the strongest demonstrations of love and admiration. For though the late long war had been very glorious, it had been also exceedingly expensive, and the people of England were transported with joy at the return of peace.

**A. D. 1362.** The joy occasioned by the peace was not a little allayed  
**Pestilence.** by the breaking out of a pestilence, which carried off great multitudes of the common people, and not a few of the nobility, and amongst others Henry the Good, duke of Lancaster, one of the most virtuous, amiable and accomplished noblemen of that age (199).

**Treaty of** The execution of the treaty of peace was attended with  
**peace executed.** great difficulties, chiefly arising from the attachment of the noblemen in the ceded countries to their ancient and native princes, and their unwillingness to transfer their allegiance to the king of England (200). But these difficulties were at length in a great measure overcome by the perfect honour and integrity of king John, and the great wisdom and activity of the lord Chandos, appointed by Edward his lieutenant in all these countries.

**A. D. 1362.** King Edward soon after fell upon an effectual method  
**Edward** of reconciling these countries to the English government,  
**cedes the** by bestowing them on his amiable son the prince of Wales,  
**conquered** who was admired and beloved by the very enemies whom  
**countries to** he had subdued. Accordingly the prince, who had lately  
**the prince** married his cousin Jane, daughter and sole heiress of  
**of Wales.** Edmund Plantagenet earl of Kent, a lady of great merit and beauty, was created prince of Aquitaine, and had a grant of Guienne, Ponthieu, and all the territories in those parts of France lately yielded to the crown of England, to hold them of that crown by liege homage, and an annual tribute of an ounce of gold (201).

**A. D. 1363.** The prince of Wales having received the investiture  
**The prince** of these rich and extensive territories, resolved to fix his  
**of Wales** residence at Bourdeaux, and spent some months in mak-  
**takes posses-** ing preparations for his voyage to that capital of his new  
**sion of his** dominions. He arrived there in February A. D. 1363,

(198) Froissart, l. i. c. 213.  
(200) Froissart, l. i. c. 214.

(199) Dudg. Baron. vol. i. p. 789.  
(201) R. Hist. vol. 6 p. 384—390.

with his beautiful princess, formerly known by the name *A. D. 1363.*  
*of the Fair Maid of Kent*; and having established a splendid court, his mild and equitable administration gave universal satisfaction to his new subjects.

By an article of the late treaty of peace, as it was finally settled at Calais, it was agreed that the formal deeds of renunciation of the several countries, towns, and other things, given up by the one king to the other, should not be exchanged till after these countries, towns, &c. were actually given up. It was expected, that the doing this might require about twelve or thirteen months; and therefore the 30th of November 1361 was appointed for exchanging these mutual renunciations, and finishing this great work of peace (202). But the difficulties which had arisen in delivering some places to the English, and disputes about others, had still prevented the exchange of these renunciations, and left this great transaction in some measure incomplete. The dukes of Anjou and Berry, two of king John's sons, and the duke of Orleans, his brother, with the duke of Bourbon, who remained in England as hostages for the payment of that prince's ransom, pretended, that if they were carried to Calais, and indulged in a little more liberty, they could contribute greatly to remove all difficulties. They were accordingly conveyed to that city, and allowed to go where they pleased for four days together at any one time. The duke of Anjou abused this indulgence, and made his escape into France (203).

King John, greatly offended at his son's dishonourable conduct, resolved to come into England to finish every thing relative to the peace, by a personal treaty with Edward. His ministers endeavoured to dissuade him from taking this step; but to all their remonstrances he replied, "That though honour and good faith should forsake every other part of the world, they ought still to be found in the breasts of princes." He accordingly arrived in England about Christmas A. D. 1363, and was again lodged in the palace of the Savoy.

It doth not appear that this voyage of king John contributed much to remove the difficulties in the execution *A. D. 1364.*  
*Dies in*  
*England.*

(202) Rymer, vol. 6. p. 231, 232. 239. 262.

(203) *Id. ibid.* p. 453—456. Froissart, l. i. c. 218.

A. D. 1364. of the late treaty of peace. For he fell sick of a fever at the Savoy, about the middle of March, and died there April 8, A. D. 1364 (204).

John de  
Mountfort  
obtains the  
duchy of  
Brittany.

The famous dispute about the duchy of Brittany, which had subsisted many years, was finally determined by a battle, September 29, near the town of Auray. In this decisive action, one of the competitors, Charles de Blois, lost his life; and his rival, John de Mountfort, son-in-law to the king of England, obtained the long-contested prize. For though this event, so pleasing to Edward, was very mortifying to Charles V. who had lately mounted the throne of France, that wise prince submitted to the decision of the sword, and granted John de Mountfort the investiture of Brittany, without any further struggle (205).

A. D. 1365.  
France de-  
solated by  
adventurers

The kingdom of France had suffered many calamities during the late war; and it was not immediately relieved from them by the peace of Bretigny. This was owing to great multitudes of adventurers of different nations, who had served in the armies of France and England. These adventurers, having been long accustomed to live by rapine and plunder, when they were disbanded, were unwilling to return to the arts of civil life; but, forming themselves into regular bodies, under bold commanders, they seized upon some towns and castles in almost every province of France, and from thence plundered the neighbouring countries. They called themselves *the Companies*, and the bodies into which they were formed *the Companies*. These Companies, in the year 1361, defeated a royal army commanded by John de Bourbon earl of Marche, who was mortally wounded in the action (206). The pope, who then resided at Avignon, and dreaded a visit from these lawless plunderers, launched his spiritual thunders against them, and published a croisade for their extirpation. But in vain. They still continued to increase in number, and to become more daring in their enterprises. In the beginning of the year 1366, they amounted to 50,000 men, and caused the king of France to tremble on his throne. By an article of the late treaty of peace, both kings had engaged to join their forces for

(204) Froissart, l. i. c. 219.

(205) Histoire de Brit. p. 502. Froissart, l. i. c. 226, 227.

(206) Froissart, l. i. c. 177, 178. 214, 215.



the extirpation of these robbers, if it became necessary ; A. D. 1365.  
 and Edward was now called upon to fulfil this engagement. In consequence of this requisition, he made great preparations for an expedition into France against the companies. But the greatness of these preparations alarmed Charles, who, upon second thoughts, was not very fond of seeing the king of England at the head of a great army in the heart of France ; and therefore sent him word that his assistance was not necessary. Edward, greatly offended at this message, desisted from his enterprise (207).

What Charles could not do by force, he accomplished by policy, and happily delivered his country from those dangerous and destructive Companies. He first endeavoured to persuade them to undertake an expedition into the East for the recovery of the Holy Land ; and the Pope seconded these persuasions, by promising them the pardon of all their sins, which were neither few nor trifling, and a good place in paradise after death. But the companions had too much cunning, and too little religion, to be taken by such a bait. A. D. 1366.  
Charles endeavours to persuade them to a crusade.

An expedition was soon after proposed, more agreeable to their views and dispositions. Don Pedro king of Castile had justly merited the name of *Cruel*, by murdering many of his nobility,—one of his natural brothers,—and his queen, Blanche of Bourbon, sister to the queen of France. Henry earl of Trastamare, another of his natural brothers, fled into France, and solicited king Charles to revenge the death of his sister-in-law by de-throning the tyrant. It immediately occurred to Charles, that this would be a proper employment for the Companies ; and he directed the brave du Guesclin to enter into a negotiation with them for that purpose. Their leaders had so high an opinion of the honour and bravery of du Guesclin, that they agreed to evacuate France, and follow him into Castile. Here they met with little or no resistance. The tyrant don Pedro, being abandoned by all the world, fled with his treasures and family, first to Corunna, and afterwards to Bourdeaux ; and Henry de Trastamare was crowned king of Castile with universal applause (208). The Companies de-throne Don Pedro king of Castile.

(207) Walsing. p. 178.

(208) Froissart, l. 1. c. 230.

A. D. 1366

The Black  
Prince un-  
dertakes to  
restore don  
Pedro.

Though don Pedro, the dethroned king of Castile, was a faithless and sanguinary tyrant, he was not destitute of specious and engaging qualities. His situation, and that of his family, which consisted of three daughters, was affecting; and he paid his court so artfully to the prince of Wales, that he unhappily espoused his quarrel, and resolved to attempt his restoration.

Marches an  
army into  
Spain.

This amiable and fortunate prince was the idol of all the military men of his age, who crowded from all countries to his standard. His brother, John of Gaunt, duke of Lancaster, joined him with a chosen body of men at arms from England. Many Gascon lords embarked in the expedition. The Companies, who were still in Castile, being privately invited into his service, deserted by thousands, and made their way to Bourdeaux by different routes. Out of all these the prince composed an army of 30,000 select troops; with which he set out on this expedition about Christmas, attended by the kings of Castile and Majorca, his brother the duke of Lancaster, and a splendid train of English and Gascon noblemen (209).

A. D. 1367.

Battle of  
Najara.

Don Henry, against whom this expedition was undertaken, was of a character very different from his brother. He was brave, humane, sincere, and generous; and as much beloved by his subjects as the other had been hated. Having made all possible preparation for his own defence, he took the field at the head of 40,000 horse and 60,000 foot, and was soon after joined by the brave du Guesclin, with 4000 men at arms. With this powerful army he advanced to meet the prince of Wales; who having entered Castile in the beginning of March, was approaching by easy journies. The two armies met on Saturday April 3, near the town of Najara, where a bloody battle was fought; in which the conduct, valour, and fortune of the prince of Wales prevailed, and the mighty army of don Henry was entirely routed, many thousands slain in the action, and a great multitude taken prisoners. The cruel don Pedro would have put all the prisoners to the sword; but was restrained from this horrid deed by the prince, who even prevailed upon him, with much difficulty, to publish a general offer of pardon to all his subjects who would return to their obedi-

ence. This offer was universally accepted, and don Pedro was restored to his throne without any further trouble. A.D. 1367.

It soon appeared that this tyrant was as perfidious and ungrateful as he was cruel; for, instead of paying the army which had restored him to his throne, according to his engagements, he detained them all the summer with vain hopes and trifling excuses. At length the prince of Wales, perceiving that there was nothing to be expected from a monster devoid of every principle of honour, seeing his men daily perishing by the excessive heats, to which they had not been accustomed, and finding his own health sensibly impaired by the same cause, left Castile, and brought back the shattered remains of his victorious army to Bourdeaux (210).

Perfidious  
conduct of  
don Pedro.

Nothing could be more glorious to the prince of Wales than his conduct of this Spanish expedition; but nothing could be more fatal to him than its consequences. It ruined his health, and embittered the few remaining years of his life, by a continued series of troubles. He had not only exhausted his treasury, by raising and paying the army which he had carried into Castile, but he had contracted a prodigious load of debt, and had brought back with him 6000 of those dangerous Companions, who, for want of pay, began to live by the plundering of his subjects. Yet such was the veneration that even these lawless rioters bore to the person of this excellent prince, that at his request they evacuated his territories, and carried their ravages into France. It was not so easy to discharge his debts. In order to this, he was unhappily advised by the bishop of Rodez, his chancellor of Guienne, to impose, with the consent of the estates, a tax of one livre upon every hearth in his French dominions for five years; which, by a very erroneous computation, it was supposed would produce 1,200,000 livres annually. To this heavy and unusual tax some provinces submitted without much reluctance; but several great lords in Guienne declaimed against it with great vehemence, and secretly entered into intrigues with the court of France for overturning the English government, which this tax had rendered unpopular (211).

A.D. 1368.  
Fatal consequences of  
the Spanish  
expedition.

(210) Froissart, l. 1. c. 237.—243.

(211) Froissart, l. 1. c. 244.

A. D. 1369.

Don Pedro  
put to  
death.

In the mean time the tyrant don Pedro, who, by his perfidy and ingratitude, had involved his protector in so many troubles, met with the just reward of all his crimes; for Henry de Trastamare, having made his escape from the unfortunate battle of Najara, took shelter in the court of his friend and ally the king of Arragon. Here he left his family, and went into France to solicit succours, and wait for an opportunity of recovering the crown which he had lost. As soon as he heard of the return of the prince of Wales into Guienne, he collected a small army of about 9000 men, with which he returned into Castile, defeated the tyrant, took him prisoner, and put him to death with his own hand (212). But the destruction of the tyrant put no stop to the troubles in which the prince of Wales was involved by his unfortunate connection with him.

Perfidious  
conduct of  
the French.

The Gascon noblemen did not content themselves with opposing the imposition of the tax on hearths, in the assembly of estates; but after that assembly broke up, they went to Paris, and implored the protection of king Charles as superior lord of Guienne, though they well knew that he had given up that title in the late treaty of peace. It doth not belong to historians to determine the stability of national characters, and how far the credit of posterity ought to be affected by the conduct of their ancestors; but this much is certain, that the French on this occasion discovered the most profligate contempt of the most solemn oaths and treaties, and a total disregard to honour and good faith. For though Charles had given up, in the strongest terms that could be devised, all right to the sovereignty of Guienne, and the other territories ceded to the crown of England by the treaty of Bretigny, he acted as if he had never heard of such a treaty, and summoned the prince of Wales to appear before the court of peers at Paris on May 1. The prince, equally surprised and provoked at this summons, replied, that he would come to Paris at the head of 60,000 men; a threat which his declining state of health never permitted him to execute (213).

King of  
France pre-  
pares for  
war.

Charles having taken this bold step, to which he was encouraged by the advanced age of the king of England,

(212) *Id. ibid.* c. 245.

(213) Froissart, t. 1. ch. 246, 247, 248.



and the ill health of his heroic son, secretly prepared for war; and trusting more to policy than force, he set intrigues on foot in every province of the English dominions in France. These intrigues, favoured by the discontents of the people occasioned by the late tax, by their affection for their ancient sovereigns, and by the influence of the clergy, were but too successful (214). A.D. 1369.

Edward laid an account of these unexpected events before his parliament, which met June 3, and by their advice resumed the title and arms of king of France (215). This parliament also granted him a high duty on wool, wool-fells, and leather, to enable him to prosecute the approaching war with vigour. Edward resumes the arms of France.

About this time the effect of the French intrigues appeared by the revolt of several towns in Ponthieu, Guienne, and other provinces, and by a visible tendency in others to imitate their example. War being now declared, both parties took the field, and there followed a variety of skirmishes, captures, and surprises of towns and castles, which it would be tedious to relate minutely (216). Though the king of France had collected a prodigious sum of money, under the pretence of paying his father's ransom, and had secretly made great preparations for this war, which he had long meditated, yet for some time his arms made little progress. War with France.

But the brave John lord Chandos being killed in a skirmish on January 1, A. D. 1370, and the health of the prince of Wales so much impaired that he could no longer mount on horseback, and appear at the head of his troops, the fortune of the war began to change, and the French took several places of strength, and had others betrayed into their hands (217). Among these last was the city of Limoges, which, at the instigation of its bishop, revolted and admitted a French garrison. A.D. 1370. Successes of the French.


The prince of Wales, greatly incensed at the loss of this place, which he had fortified at a great expence, sent the inhabitants a summons to return to their duty and expel the French garrison, threatening to raze their city to the ground, after putting them all to the sword, if they did not obey. But the people of Limoges treated this sum- Prince of Wales takes Limoges.

(214) Froissart, t. i. c. 246, 247, 248.

(215) Rymer, vol. 6. p. 621.

(216) Froissart, l. i. c. 250—277.

(217) Froissart, l. i. c. 277, &c.

A. D. 1370.  mons with the most insolent contempt. The prince, collecting a body of troops, and getting into a litter, being unable to ride, conducted them to Limoges, and invested the place. Sensible of its great strength, he did not attempt to take it by assault; but having made a breach in the walls, by undermining them, he entered by the breach, and put the whole garrison, and 3000 of the inhabitants, to the sword. It was with some difficulty he was prevailed upon to spare the life of the bishop, who had been the cause of all this mischief, by acting a part so contrary to his oaths, and inconsistent with his function (218).

Prince of  
Wales re-  
sumes the  
command.

The taking of Limoges is chiefly memorable on this account, that it was the last military exploit of the prince of Wales, who, finding himself unable any longer to endure the fatigues of war, retired to Bourdeaux, and resigned the command of the English armies in France to his brother John of Gaunt, duke of Lancaster, who had lately, together with the earls of Pembroke and Cambridge, come from England with a reinforcement (219).

A. D. 1371.  
Prince of  
Wales ar-  
rives in  
England.

The prince of Wales, finding his strength daily declining, yielded to the advice of his physicians, who encouraged him to hope that his native air would contribute to his recovery. Having held an assembly of all the loyal barons of his French dominions at Bourdeaux, and engaged them to promise obedience to his brother the duke of Lancaster, he embarked for England in the month of January A. D. 1371, with his princess, and only surviving son Richard, and landed at Southampton (220).

Marriages.

John of Gaunt duke of Lancaster, being now a widower, married the princess Constantia, eldest daughter of the late don Pedro king of Castile, and his brother Edmund earl of Cambridge married her sister the princess Isabella. The duke of Lancaster, immediately after his marriage, assumed the title of *king of Castile*, and thereby rendered Henry de Trastamare, who wore that crown, a violent and dangerous enemy to England (221).

English  
fleet defeat-  
ed.

The military events of this year were very fatal to the English interest on the continent. The duke of Lancaster having returned to England with his royal bride, the earl of Pembroke was appointed commander in chief of

(218) *Id. ibid.* c. 287. *Walsing.* p. 185.

(219) *Froissart*, l. 1. c. 287. *Walsing.* p. 186.

(220) *Froissart*, l. 1. c. 293.

(221) *Id. ibid.* c. 300.

the English forces in the principality of Aquitaine, and A. D. 1372.  
 was sent thither with a fleet of forty ships, containing a reinforcement of troops and a supply of money. The earl designed to land his forces at Rochelle; but when he approached that place, June 23, he fell in with a powerful squadron belonging to don Henry, king of Castile, who had warmly espoused the cause of France. An engagement immediately commenced, which continued all that day, and was renewed next morning with equal fury. At length, towards the evening of the second day, victory declared in favour of the Spaniards, whose ships were much larger than those of the English, and provided with cannon, which did great execution. The earl of Penbroke, with several other chieftains, were made prisoners, and the greatest part of the fleet either taken or sunk (222).

By this disaster, Ponthieu, Guienne, and the other Losses of  
 English provinces in these parts, were left an easy prey the English.  
 to the constable du Guesclin, who fell into them with a great army, and took many places of strength without any resistance, and others with very little. The city of Rochelle was betrayed to the French by its mayer, and Thouars capitulated to surrender at Michaelmas, if it was not relieved before that time by the king of England, or one of his sons (223).

On hearing of this capitulation, Edward put himself Edward at-  
 at the head of an army which he had provided for invading tempts to  
 France on the side of Picardie, with which he em- relieve  
 barked August 30, and failed to relieve Thouars, and Thouars.  
 recover his other losses in those parts. But that wonderful gale of prosperity which had so long favoured this prince in all his undertakings had now forsaken him. After contending nine weeks at sea, with contrary winds, he was obliged to return with his fleet to England; and Thouars surrendered, according to the capitulation (224). The miscarriage of this expedition was followed by the loss of all Ponthieu, except a few places.

Edward after his return held a parliament, which met a parlia-  
 at Westminster November 3, and continued the additional ment  
 duty on wool, wool-fells, and leather, for two years

(222) Froissart, l. i. c. 302, 303, 304.

(223) Froissart, l. i. c. 307—311.

(224) *Id. ibid.* c. 311

**A. D. 1372.** longer, besides granting the king a fifteenth (225). Thus the English were at as great expence in losing, as they had been at in gaining, their French dominions.

**A. D. 1373.** The constable du Guesclin finished the conquest of Ponthieu and Xaintonge in the beginning of this year (226). As the allies of England had reaped great advantages from her former victories, some of them were now involved in her misfortunes; particularly John de Mountfort duke of Brittany. This prince being son-in-law to king Edward, and sensible that he owed his dominions to his protection, was a zealous friend and favourer of the English. Charles king of France, well knowing his inclinations, confiscated the duchy of Brittany, and sent the constable du Guesclin with an army to take possession of it. That general met with little resistance, many towns opening their gates at the first summons; and the duke, afraid of being betrayed into the hands of the French, retired into England, leaving the brave sir Robert Knolles his lieutenant in Brittany (227).

**Duke of Lancaster's expedition into France** Edward, resolving to make another great effort for the recovery and preservation of his French dominions, appointed his son John of Gaunt, duke of Lancaster, his lieutenant in the kingdom of France and principality of Aquitaine, and sent him with an army to Calais. The duke marched from Calais, July 20, at the head of 30,000 men; and having ravaged the provinces of Artois and Picardie, he pursued his route through Champagne, Burgundy, Beaujolois, Parez, Auvergne, into Guienne, and arrived at Bourdeaux about Christmas, with the shattered remains of his army, without having besieged one town or fought one battle (228).

**A. D. 1374.** Conferences for a truce or peace between the kings of France and England had been lately opened at Bruges, under the mediation of the pope. After some time had been spent in these conferences, a truce was concluded, February 11, to continue to Easter; and this truce was afterwards prolonged to May 1, in the following year (229). This truce was but ill observed by the duke of Anjou, who had long before violated his parole of ho-

(225) Parliament. Hist. vol. 1. p. 312. (226) Froissart, l. 1. c. 312.

(227) Froissart, l. 1. c. 314.

(228) Walling. p. 187. Froissart, l. 1. c. 316, 317.

(229) Rymer, vol. 7. p. 51--57.



nour to king Edward, and now reduced the greatest part of Guienne before the expiration of the truce. Thus Edward had the mortification to see himself deprived of all his conquests in France (except Calais), the fruits of the glorious victories of Crecy and Poitiers, rather by the perfidy than the valour of his enemies, and his own imprudent confidence in their honour and good faith. A. D. 1374.

The conferences for a peace still continued at Bruges, and the truce, by several prolongations, was extended to April 1, 1377 (230). The duchy of Brittany was not comprehended in the first truces: and John de Mountfort having returned from England with some troops, recovered a considerable part of his dominions. But a stop was put to this career of success, by his being included in the last truce, to which he submitted (231). A. D. 1375.

Though a long truce was now concluded, and negotiations for a peace were carried on, there was little prospect of their success; and it was expected that the war would be renewed as soon as the truce expired. To be prepared for this event, Edward summoned a parliament to meet at Westminster April 28, and demanded a supply for carrying on the war with France. The parliament continued the high duty on wool, wool-fells, and leather, for three years longer, and promised a further aid if it should be found necessary (232). But it soon appeared that this assembly was far from being pleased with the late management of public affairs, and the conduct of those who now possessed the highest place in the king's favour. In consequence of their complaints, the lord Latimer, and several other persons of inferior note, were imprisoned for embezzling the public treasure, and other misdemeanors. Though this was an age of chivalry, in which the adoration of the fair sex was carried to the most extravagant height, yet a lady fell under the censures of this parliament. This was the famous Alice Perrers, for whom Edward, after the death of his excellent queen Philippa, had contracted an affection. This lady, being of a covetous disposition, very much abused the fondness of her royal lover, and is said to have carried her effrontery so far as to sit on the bench, and dictate to the judges. At A. D. 1376.  
Parliament.

(230) Rymer, vol. 7. p. 68—92.

(231) D'Angentre Hist. de Brit. l. 8. c. 20.

(232) Parliament. Hist. vol. 1. p. 319.

A.D. 1376. the request of the commons, she was banished from court, but soon after recalled (233).

Death of  
the prince  
of Wales.

While this parliament was sitting, the nation sustained an irreparable loss, by the death of Edward prince of Wales, better known to posterity by the name of the *Black Prince*. This excellent prince, after languishing several years under a lingering disease, which he had contracted in Spain, was in the last stage of it seized with a fever, of which he died in the palace of Westminster June 8, in the 46th year of his age. Though this event had been long expected, and though all the fruits of his glorious victories were already lost and gone, there never was a more sincere and universal mourning than on this occasion. The character of this prince was a happy mixture of great and good qualities, which formed the illustrious hero and the amiable man, and rendered him at once the object of universal love and admiration. His death is thought to have shortened the days of his royal father, and broke the heart of that renowned warrior John de Grielly, captal de Buche, who refused all nourishment, and was impatient to follow his beloved master to the grave. The parliament, though in no very good humour, discovered the deepest concern for his death, and the highest veneration for his memory, by attending his remains to the cathedral of Canterbury, where he was buried, and by petitioning the king to introduce his only surviving son, Richard of Bourdeaux, then a youth of ten years and five months old, into their assembly, that they might have the pleasure of beholding this only representative of their beloved prince, and of paying their duty to him as heir apparent to the crown. At the request of both houses Richard was created prince of Wales, and invested with all his father's honours and possessions (234).

A.D. 1377.  
Parliament.

As the truce with France was now drawing towards an end, and as all endeavours to bring about a peace had proved abortive, nothing was expected but the renewal of the war. To provide for this event, a parliament met on January 27, at Westminster, which was opened by Richard prince of Wales, by commission from the king, then indisposed. The commons, after some deliberation,

(233) Walsing. p. 189. Barnes. p. 220—221.

(234) Froissart, l. i. c. 224, 225. Walsing. p. 190.

and conferring with a committee of the lords, granted the king a poll-tax of fourpence from every person in the kingdom above fourteen years of age, except beggars (235). There seems to have been a perfect harmony between the king and this his last parliament, which petitioned him to release the lord Latimer, Alice Perrers, and others, from the censures inflicted upon them by the late parliament, and to restore them to their former state (236).

A. D. 1377.

Edward finding, from the declining state of his health, that his death was fast approaching, was earnestly desirous of making peace with France, that he might not leave his infant successor involved in a war with so powerful an enemy. But the same circumstances rendered the French so high in their demands, that, though commissioners had been appointed to treat of peace, nothing could be concluded before king Edward's death, which happened at his palace of Shene, June 1, in the sixty-fifth year of his age, and the fifty-first of his reign (237).

Death of Edward III.

Edward III. was in his person well shaped, tall, strong, and active, his countenance was comely, his air majestic, and his address engaging. He much excelled and greatly delighted in the manly exercises of those times, particularly tournaments, which were often celebrated at his court with great magnificence. His genius, both for learning, politics, and war, was far above the common rate. He understood several languages, and was well versed in the learning of his time, as well as a munificent patron of learning and learned men. He discovered great prudence in the conduct of his affairs, the management of his parliaments, and the many wise laws which were made in his reign for the advancement of arts and commerce; though he was shamefully outwitted by Charles king of France, and his brothers, rather through their total want of faith and honour, than his want of policy. His almost constant success in war, while he appeared at the head of his armies, is a sufficient proof of his military talents (238). If we examine his wars with France and Scotland by the strict rules of morality, they will not ap-


Character of Edward.

(235) Parliament. Hist. vol. i. p. 326.

(236) Id. ibid. p. 328.

(237) Rymer, vol. 7. p. 131.

(238) Apsalms Hist. vol. III. p. 451. Walsing. p. 192, 193.

A. D. 1377.  pear very justifiable; and if we judge of them by their final issue, they were not very profitable. For though he inflicted infinite mischiefs on both these kingdoms, and raised the martial fame of England to the highest pitch, it was at a prodigious expence of blood and treasure; and he made no lasting conquests, except Calais and Berwick. The ambition of this prince, which hath gained him the greatest fame, was in reality the most exceptionable part of his character, which was adorned with many shining virtues. He was a rare example of human felicity, having for more than forty years enjoyed a very uncommon degree of happiness in his family, and of success in all his undertakings.

His issue. Edward's only queen was Philippa of Hainault; with whom he lived in the most perfect conjugal harmony above two and forty years, and by whom he had seven sons and five daughters, viz.

1. Edward of Woodstock, commonly called the *Black Prince*, from the colour of his armour, the darling of his royal parents, was born at Woodstock, June 15, A. D. 1330 (239); married to his cousin Jane, the Fair Maid of Kent, in 1361; by whom he left an only son, named Richard, who succeeded his grandfather in the throne (240).

2. William of Halfield, born 1336; died young (241).

3. Lionel of Antwerp, duke of Clarence, born November 29, 1338 (242); was married, first, to Elisabeth de Burgh, heiress of Ulster, by whom he left one daughter, Philippa, married to Edmund Mortimer earl of Marche. For his second wife, the duke of Clarence married Violante, daughter of the duke of Milan; by whom he had no children. He died in Italy, in 1368 (243).

4. John of Gaunt, born in 1340; was married, first, in 1359, to Blanche, one of the daughters and coheiresses of Henry the Good, duke of Lancaster (after whose death he was created duke of Lancaster); by whom he left a son, named Henry, successively earl of Derby, duke of Hereford and Lancaster, and king of England,

(239) Walsingham, p. 130.

(240) Sandford's Geneal. Hist. p. 215, &c.

(241) Ypod. Neust. f. 512.

(242) Sandford, p. 222.

(243) Sandford, p. 219. 222, 223.



by the name of Henry IV (244). For his second wife, <sup>A. D. 1377.</sup> John of Gaunt married Constantia, eldest daughter of don Pedro king of Castile; in whose right he assumed that title; and by whom he had a daughter, afterwards queen of Castile. For his third wife he married Catharine Swinford; by whom he had several children.

5. Edmund of Langley, born in 1341, created earl of Cambridge in 1362, and duke of York in 1384; married Isabella, youngest daughter of don Pedro king of Castile; by whom he had Edward, his eldest son, who died without issue; and Richard earl of Cambridge; who marrying his cousin Anne Mortimer, heiress of the house of Clarence, had Richard duke of York, who was father of Edward IV. king of England (245).

6. William of Windfor, who died in his infancy (246).

7. Thomas of Woodstock, duke of Gloucester, and constable of England (247).

The daughters of king Edward and his queen Philippa were, 1. Isabel, married in 1365 to Enguerrand de Coucy, created duke of Bedford; 2. Joan, contracted to don Pedro king of Castile, but died of the plague at Bourdeaux, in 1349, before marriage (248); 3. Blanche, who died in her infancy; 4. Mary duchess of Brittany; 5. Margaret countess of Pembroke, who died without issue.

DAVID BRUCE, king of Scotland, who was taken <sup>History of</sup> prisoner at the battle of Durham, October 17, A. D. <sup>Scotland.</sup> 1346, continued in captivity no less than eleven years, though various negotiations were set on foot for procuring his deliverance (249). He was permitted to pay a visit to his dominions, A. D. 1351, upon giving hostages, and making oath to return into custody when required (250). This relaxation in his confinement (which had been very strict) was probably granted to promote the success of a private agreement which he had made with the king of England, by procuring the consent of his subjects to that agreement. The nature of this secret

(244) Walsing. p. 148.

(245) Ypod. Neust. f. 514. Sandford, p. 357, 358, 360, 365.

(246) Sandford, p. 178. (247) Id. p. 227.

(248) Rymer, vol. 5. p. 422, 425, 426, 427, 428, &c.

(249) Rymeri Fœd. t. 5. p. 618, 686, 699, 700.

(250) Id. ibid. p. 711, 722, 724, 727.

A. D. 1351. treaty between the two kings is not known; but it is believed to have been unfavourable to the independency of Scotland; and David having failed in his attempts to procure its confirmation, returned into confinement, A. D. 1352 (251). After long conferences, a treaty for the liberation of David, and a truce of nine years, was concluded at Newcastle, 13th July A. D. 1354, ratified by the commissioners of Scotland 12th November, and by the king of England and the prince of Wales 5th December (252). But the effect of this treaty was prevented by the intrigues of the king of France; who, by sending a body of soldiers and a sum of money into Scotland, prevailed upon the Scots to continue the war; and they had the good fortune to defeat sir Thomas Gray, keeper of Norham castle, in October, and to take the town of Berwick in November, A. D. 1355 (253). But they did not long enjoy this conquest; for Edward having invested the town with a great army, it was surrendered by capitulation 13th January A. D. 1356 (254).

A. D. 1356.  
Expedition  
of Edward  
III. into  
Scotland.

Edward, having recovered Berwick, and obtained a formal surrender of the crown and kingdom of Scotland from his wretched tool Edward Baliol (January 20), marched at the head of a great army into Lothian, attended by a fleet of victuallers in the Forth. But the Scots having removed all their cattle and provisions, and the English fleet having been dispersed by a storm, he found it impossible to proceed any further than to Edinburgh. His troops were harassed in their retreat by flying parties of the Scots, which provoked him to destroy the country with fire and sword, not sparing the most magnificent churches (255). This expedition was long remembered in Scotland by the name of *The burnt Candlemas*.

King of  
Scots ran-  
sommed.

Edward, convinced of the difficulty of subduing Scotland, began to think seriously of making peace with that country, and of procuring as great a ransom as he could for its king, who was still his prisoner. With this view, he appointed William de Bohun earl of Northampton, and others, his commissioners, to treat with the prelates,

(251) Rymeri Fœd. t. 5. p. 737. 746. Fordun, l. 14. c. 15.

(252) Rymeri Fœd. t. 5. p. 793. 812.

(253) Fordun, l. 14. c. 9, 10.

(254) Fordun, l. 14. c. 12. Rymer. Fœd. t. 5. p. 828.

(255) Fordun, l. 14. c. 13.

nobles, and people, of Scotland, about the redemption of David Bruce, and a perpetual peace between the two kingdoms (256). The parliament of Scotland (17th January A. D. 1357) named four commissioners, two bishops and two barons, to treat with those of England (257). That the conferences might not be interrupted by hostilities, a truce for six months was concluded 8th May (258). The commissioners of both kingdoms met at Berwick, to which place the captive king was also conducted (259). The chief difficulty in this negotiation was, to settle the ransom to be paid by the Scots for the redemption of their king. The English demanded 100,000 marks, an exorbitant sum in those times, containing as much silver as 200,000*l.* of our money, and more difficult to raise than a million would be at present. As no abatement of this demand could be obtained, the commissioners, and also the parliament of Scotland, engaged to pay it in ten years, by equal payments of 10,000 marks each year; and to give twenty young men of quality hostages, for security (260). By one article it was provided, that the truce between the two kingdoms should continue till the ransom was paid. In consequence of this treaty the king of Scots was set at liberty, in October A. D. 1367.

The fatal expedition into England, A. D. 1346, which had involved the king and people of Scotland in so many calamities, had been undertaken at the instigation of France; and therefore the Scots very properly applied to France to assist them in paying the heavy ransom of their king. This application was at first eluded by excuses; but the French being still at war with England, and standing in need of the aid of their ancient allies, a treaty was concluded, April A. D. 1360, in which the French engaged to pay the Scots 50,000 marks, and the Scots engaged to renew the war with England (261). But this treaty was never executed: for by an article of the famous treaty of peace between the French and English at Bretigny, concluded only about a month after, the king of France renounced every alliance with Scotland,

(256) Rymeri Fœd. t. 5. p. 847. (257) Id. ibid. p. 831.

(258) Id. ibid. t. 6. p. 15. (259) Id. ibid. p. 31.

(260) Rymer. Fœd. t. 6. p. 46—52.

(261) Annals of Scotland, vol. 2. p. 246, 247, 248.

**A.D. 1360.** and engaged, for himself and his successors, never to make any new alliance with that kingdom (262). In this manner do great kings sometimes trifle with their engagements.

**Pestilence.** After Scotland had been long involved in the calamities of war, it was visited by a destructive pestilence, A. D. 1361, which raged a whole year, and is said to have carried off about one third of the inhabitants (263). Johanna queen of Scotland, sister of Edward III. died in England, A. D. 1362 (264).

**Intrigues to defeat the succession of Robert the Stewart.** King David Bruce paid frequent visits to England after he recovered his liberty, and was engaged in certain secret intrigues with that court, to defeat the succession of his nephew Robert the Stewart, who had been regent of the kingdom during his captivity. After his return from one of these visits, A. D. 1363, he made a proposal to his parliament at Scone, That if he died without issue, they should chuse Lionel duke of Clarence, the second son of Edward III. to be their king. This proposal was unanimously rejected with scorn and indignation by the parliament, who declared, That they would never permit an Englishman to reign over them; but would support the settlement of the crown, which had been made by parliament on the Stewart and his family (265). David was not deterred by this resolute answer, or even by the civil commotions which his proposal had occasioned, from pursuing his pernicious schemes: for on his return to England he made an agreement with Edward, that he, or the king of England for the time being, should succeed to the crown of Scotland, on the death of David without issue; and a plan was formed for regulating the government when that event took place (266). But it was soon found, that these dark intrigues and private conventions could have no effect, while the Scots were unanimously determined to defend their independency; and therefore they were kept secret.

**Marriage and death of David II.** David Bruce, being now a widower, fell in love with and married Margaret Logie, a gentlewoman of singular beauty. For some time the influence of this lady over

(262) Rymeri Fœd. t. 6. p. 178—195.

(263) Fordun, l. 14. c. 24, 25.

(264) Walsing. p. 179.

(265) Fordun, l. 14. c. 25.

(266) Rymeri Fœd. t. 6. p. 426, 427. Annals of Scotland, vol. 2. p. 253, &c.



her amorous husband was very great: but it was not of <sup>A. D. 1371.</sup> long duration; and they were divorced in February A. D. 1370 (267). David did not long survive this event. He died in the castle of Edinburgh, 22d February A. D. 1371, in the forty-seventh year of his age, and forty-second of his reign (268).

David II. though not defective in personal courage, <sup>Character.</sup> was a weak, capricious, and unfortunate prince, having spent about one half of his reign in exile or in captivity. The veneration of the Scots for the memory of their illustrious deliverer, Robert Bruce, kept them steady in their attachment to his only son, in spite of all his failings. He was succeeded by his nephew Robert the Stewart, the first of that family who wore a crown.

(267) Fordun, l. 14. c. 28. 34.

(268) Id. *ibid.*

## SECTION V.

*The civil and military history of Britain, from the accession of Richard II. June 21st, A. D. 1377, to the accession of Henry IV. September 30, A. D. 1399.*

**RICHARD II.** was in the 11th year of his age, when he succeeded his grandfather Edward III. on the throne <sup>Accession of Richard II.</sup> of England. His tender years, the exquisite beauty of his person, and the remembrance of his beloved father the Black Prince, greatly endeared him to his subjects, who expressed the highest satisfaction at his accession. When king Edward lay at the point of death, the citizens of London sent a solemn deputation to the prince, then at Kingston upon Thames, to profess their attachment to his interest, and invite him to take up his residence in their city; with which invitation he complied. He was crowned at Westminster July 16, with great magnificence, and every possible expression of universal joy (1).

(1) Walsing. p. 193 Rymer, vol. 7. p. 157—160.

A. D. 1377.

Unfavourable state of England.

But notwithstanding all these fair appearances, the affairs of England were not in a very happy situation at this time. The young king being incapable of holding the reins of government, was wholly under the direction of his three uncles, John of Gaunt duke of Lancaster, Edmund of Langley earl of Cambridge, afterwards duke of York, and Thomas of Woodstock earl of Buckingham, afterwards duke of Gloucester. The duke of Lancaster, who bore the chief sway, was proud, passionate, and unpopular, and very unfit for the difficult part he had to act. The nation was involved in an unfortunate war with France, for which no preparation was made, and was also on ill terms with Spain and Scotland; and the commons were greatly discontented at the continual demands which had been lately made upon them for the support of the French war. The ill effects of these unfavourable circumstances soon appeared.

War with France.

The truce with France having expired May 1, the war was renewed; and the French had sent armies into Guienne, Brittany, and the marches of Calais, where they had taken two forts before the late king's death. In August, a body of French plundered the isle of Wight, burnt the town of Hastings, and made attempts upon Winchester and Southampton, though without success (2).


Parliament.

To provide for repelling these insults, and prosecuting the war with vigour, a parliament was summoned to meet at Westminster, October 13. The house of commons, after consulting with a committee of lords, granted two fifteenths from the counties, and two tenths from the cities and boroughs, to be paid into the hands of John Philpot, and W. Walworth, merchants in London, and appropriated to the expences of the war, together with the subsidy on wool. Through the influence of the king's uncles in this parliament, the famous Alice Perrers was sentenced to banishment, and her estates confiscated. No regent nor regency was appointed; but by the assent of the king and lords to a petition of the commons, a council of nine persons was chosen, to advise and assist the king in the administration of government for one year, and a like council ordained to be chosen every year, by parliament, during the king's minority (3). This me-

(2) Walsing. p. 198, 199. Froissart. i. 1. c. 347.

(3) Parliament. Hist. vol. 1. p. 333—344.

(4) Walsing. p. 211. thod

thod was probably taken out of jealousy of the duke of A.D. 1377.  
 Lancaster, who had the best claim to the regency, if a  regent had been appointed.

The war between England and France was not car- A.D. 1378.  
 ried on with much vigour on either side, nor did it pro- Progress of  
 duce many events worthy of the attention of posterity. the war.  
 One Mercer, a Scotchman, infested the north-east coasts  
 of England with a small fleet, and seized some ships in  
 the port of Scarborough; but John Philpot of London  
 fitted out some ships at his own expence, with which he  
 engaged Mercer, defeated, and took him prisoner (4).

The duke of Lancaster, though not directly regent, had Duke of  
 an almost unbounded influence over the council of admin- Lancaster's  
 istration; and prevailed with them to give him the dis- expedition  
 posal of the money arising from the late parliamentary into France.  
 grants, promising not only to protect the kingdom from  
 all its enemies, but also to perform some notable exploit  
 for its honour and advantage. To perform this promise,  
 he raised an army and equipped a fleet for invading France.  
 Before the grand fleet was ready to sail, he sent the earls  
 of Arundel and Salisbury, with a few ships and some  
 troops, to take possession of Cherburg, which was ceded  
 to England by the king of Navarre. The two earls had  
 an engagement on their passage with a Spanish fleet, in  
 which they sustained some loss, though they afterwards  
 executed their commission. About the end of July the  
 duke sailed with a gallant fleet and army; and, landing  
 in Brittany, invested St. Malo. The constable du Gues-  
 clin hastened with an army to the relief of the place; and  
 the duke, finding it would be impossible to take the town  
 in the presence of the enemy, raised the siege, and re-  
 turned home, without having performed any thing worthy  
 of his mighty promises and great expences (5).

A party of about eighty Scots, commanded by sir War with  
 Alexander Ramsay, surprised the castle of Berwick on Scotland.  
 November 25; but it was soon after recovered by the  
 earl of Northumberland, and all the Scots, except their  
 leader, put to the sword. After this the earl marched  
 into Scotland; but a part of his army being defeated  
 near Melrose, he dismissed the rest, and put an end to  
 the campaign (6).

(c) Walsing. p. 200. 210. 213. Froissart, l. i. c. 329.

(6) Froissart, t. 2. c. 7—10. Walsing. p. 219.

A. D. 1378.

Parliament.

A parliament met at Gloucester, October 20, to which it was represented, that the king was at a great expence in maintaining the garrisons of Calais, Cherbourg, Brest, Bourdeaux, and Bayonne, and in defending the kingdom from its numerous enemies; and a supply was demanded for defraying these expences. The house of commons discovered an extreme unwillingness to comply with this demand; alleging, that there must be a great part of the money granted by the last parliament still in the treasury; that the king's ordinary revenues were sufficient, with good management, for answering all these purposes; and that the people of England had nothing to do with the great charge of 46,000*l.* for maintaining the garrisons in France. But at length, by the earnest and repeated entreaties of the lords, the commons were prevailed upon to continue the high duty on wool, wool-fells, and leather, and even to grant an additional duty of one mark on every sack of wool, and every two hundred and forty wool-fells, and two marks on every last of leather, besides 6*d.* in the pound on all merchandise exported and imported (7).

Revolution  
in Brittany.

The late unsuccessful expedition of the duke of Lancaster into Brittany, was followed by the loss of all that duchy, except Brest, which was put into the hands of the English by John de Mountfort duke of Brittany, for an estate in England, where he resided with very little hopes of ever being restored to his dominions (8). The conquest of this country appeared so complete to Charles V. King of France, that by a solemn sentence he annexed the duchy of Brittany to the kingdom of France for ever (9). But so uncertain are the principles of human policy, that this sentence, calculated to extinguish the last hopes of John de Mountfort, was the means of restoring him to the possession of his country in a very little time. For though the people of Brittany disliked their duke for his inviolable attachment to England, and on that account had assisted the French in expelling him, there was nothing in the world they dreaded so much as the subjection of their country to the crown of France. In order to avoid this, they sent repeated invitations to Mountfort to

(7) Carte, vol. 2. p. 547. ex. Rot. Parliament. Walsing. p. 215. Parliament. Hist. vol. 1. p. 348—355.

(8) Rymer, vol. 7. p. 190—195. (9) D'Argentre Hist. Brit. l. 9. c. 3.



return into Brittany, promising to receive him as their sovereign, and to support him with the utmost zeal and loyalty. Being at length convinced of their sincerity, he sailed from Southampton, and landing near St. Malo, August 3, with a few troops, he was every where received with the loudest acclamations of joy, and got possession of the chief places of his dominions (10). A. D. 1379.

Though the events of the war with France, Castile, and Scotland, were not very memorable; the expences of it, and of the foreign garrisons, were very great, and occasioned frequent applications to parliament. One was summoned to meet at Westminster January 14, A. D. 1380, which, after appointing commissioners to examine into every branch of the administration, granted one fifteenth and a half from the counties, and one tenth and a half from the cities and boroughs; and continued the high duties on wool, wool-fells, and leather, for another year after Michaelmas next, when they were to have expired (11). Having thus provided for the public expences, they requested that there might be no meeting of parliament for one year after Michaelmas next.

Though the people of Brittany had received their duke with great cordiality, he soon found that it would be impossible for him to contend with the superior power of France without assistance from England, which he solicited with much earnestness. A great army was raised and sent to his relief, under the command of the king's uncle, Thomas earl of Buckingham; which, marching from Calais in the end of July, passed through Picardie, Champagne, and other provinces of France, plundering the country, without meeting with any opposition (12). Expedition into Brittany.

As this army approached the confines of Brittany, they received the news of the death of the king of France, Charles V. who expired on September 16, and was succeeded by his son Charles VI. a youth about twelve years of age (13). Death of Charles V.

This event produced a great change in the designs of the duke of Brittany. This prince, observing that the aversion of his subjects to the English was not in the least abated, and that several of his towns were resolved to Change in the duke of Brittany.

(10) Walsing. p. 225. Froissart, t. 2. ch. 44.

(11) Parliament. Hist. vol. 1. p. 344—35.

(12) Froissart, l. 2. c. 50—55.

A. D. 1380. shut their gates against them, began to think of making his peace with France, and with great secrecy sent commissioners to Paris to propose an accommodation. But as he had invited the English army to his assistance, he found it necessary to receive them with some degree of civility; and sent six of his chief nobility to compliment the earl of Buckingham on his arrival in Brittany, and to propose an interview with their duke. These princes accordingly met at Meziere, near Rennes; where it was agreed, that the English army should undertake the siege of Nantes, in which the duke promised to join them with his forces, in a few weeks. The English, in consequence of this agreement, invested Nantes, and continued the siege about two months; when, finding that the duke had failed in his engagement to join them, through the aversion of his subjects to the English interest, they raised the siege, and retired to Vannes into winter-quarters (14).

War with  
Scotland.

The Scots invaded and plundered Cumberland and Westmoreland in summer, and carried off much booty; particularly several thousands of cattle of different kinds. When the earl of Northumberland was raising an army to retaliate this injury, he was restrained by orders from court. These orders were probably procured by the influence of the duke of Lancaster, who designed this employment for himself. Accordingly he made an expedition into Scotland, where he gathered no laurels; but having concluded a truce at Berwick, November 1, he returned to England (15).

Parliament.

Though the last parliament had requested that there might not be another till a year after, the exigencies of the state requiring it, one was called to meet at Northampton November 5, and a fresh supply demanded, for the pay of the army under the earl of Buckingham in Brittany, and for other purposes. The parliament, after long deliberation, and several conferences between the two houses, imposed a poll tax of three groats on every person in the kingdom above fifteen years of age, except mere beggars, the richer to assist the poorer (16): a tax which was productive of very fatal consequences.

A. D. 1381.  
English  
army re-  
turns from  
Brittany.

The negotiations of the duke of Brittany at the court of France were now perfected; and a peace was con-

(13) Freissart, l. 2. c. 56. 60. (14) Freissart, t. 2. ch. 59—63.

(15) Welling. p. 240. 244. Rymer, vol. 7. p. 276—279

(16) Parliament. Hist. vol. 1. p. 358—363.

cluded January 15, by which the duke engaged to re-  
nounce his alliance with England, to send home the  
English army now in his country, and to hold his duchy  
of the crown of France. Nothing could equal the sur-  
prise of the earl of Buckingham when he heard of this  
treaty. But as there was no remedy, he embarked his  
army and returned to England; having endured great fa-  
tigue, and expended great sums of money (17).

A. D. 1381.

The poll-tax imposed by the last parliament excited  
the most violent commotions in England. That nume-  
rous and useful class of men who were in those times  
called *Villains*, and were little better than the slaves and  
property of their lordly masters, had of late years borne  
the yoke with great impatience. This yoke was rendered  
more galling by the frequent taxes lately imposed by par-  
liament, particularly by the poll-tax, which fell very  
heavy on the poorer sort of people, and was made more  
grievous by the severity with which it was collected. In  
a word, the minds of the common people all over Eng-  
land were so exasperated by the various oppressions under  
which they laboured, that they were ready to engage in  
any desperate attempt (18).

State of the  
common  
people.

A small spark set fire to this train, and excited a pro-  
digious flame. A quarrel arising between one of the  
poll-tax gatherers and a tyler in Deptford, named Walter,  
the tyler beat out the brains of the tax-gatherer with his  
hammer (19). His neighbours applauded the action, and  
promised to protect him from punishment. In a little  
time several hundreds were gathered together, who were  
every moment alarmed and enraged by flying reports of  
the dreadful vengeance which the government threatened  
to take for the death of the tax-gatherer. The insur-  
gents sent messengers into the neighbouring counties on  
both sides of the Thames, commanding the common  
people to join with them in shaking off the yoke of ser-  
vitude, and taking vengeance on their oppressors. These  
commands were too well obeyed. The commons every-  
where abandoned their employments, and flew to arms.  
From all parts they directed their march toward London,  
burning the houses, and plundering the estates of the no-

Insurrec-  
tion of the  
common  
people.

(17) Walsing. p. 242, 243. Froissart, l. 2. c. 55.

(18) Knighton, col. 2633. (19) Id. Ibid.

A. D. 1381 { bility and gentry in their route. The rage of this dangerous multitude was much inflamed by the declamations of one John Ball, a seditious preacher, whom they had released out of Maidstone gaol. This turbulent monk, who had been long remarkable for courting low popularity, held forth with great vehemence to the rioters on the natural equality of mankind, which he exhorted them to restore, by murdering all the nobility, gentry, lawyers, and superior clergy, and dividing the world amongst themselves (20). The insurgents of Kent, Essex, and the neighbouring counties, came to a general rendezvous on Blackheath, Wednesday June 12, when they are said to have amounted to 100,000 men, under their two leaders Wat Tyler and Jack Straw.

Progress of  
the insur-  
rection.

The progress of this insurrection was so rapid, and the consternation it occasioned so great, that no measures were taken by the government for its suppression. The king's three uncles, who had the chief direction of affairs, were all absent; the duke of Lancaster in Scotland, negotiating a truce with that kingdom; the earl of Cambridge gone with some troops to the assistance of the king of Portugal, against the king of Castile; and the earl of Buckingham at his estate in Wales (21). The young king, in this extremity, took shelter, with his mother and a few of his counsellors, in the tower of London.

The insur-  
gents send  
a message  
to the king.

Among other acts of violence which the insurgents committed in their way to London, they seized several knights and gentlemen, whom they obliged to accompany them; and from Blackheath they sent one of their knights to the tower of London, with a message to the king, inviting him to come and speak with them concerning the government of the kingdom, which they said was ill conducted by his uncles, by the archbishop of Canterbury, and others (22).

The king's  
answer.

After some time spent in deliberation, the king returned this answer by their own messenger: "That if they would approach the river Thames, he would speak with them next morning, being Thursday June 13." Agreeable to this message, the king went on board his barge

(20) Walsing. p. 275. Froissart, l. 2. c. 74. Knighton, c. l. 2633, 2634.

(21) Froissart, l. 2. c. 75. (22) *Id.* *ibid.*



early in the morning, with the earls of Salisbury, War-  
 wick, and some other noblemen, and steered towards  
 Redriff, where about 10,000 of the insurgents attended  
 on the banks. As soon as they beheld the royal barge  
 approaching, they set up such horrible cries (says Frois-  
 sart), as if all the devils in hell had been in their company.  
 The noblemen who were with the king dissuaded him  
 from exposing his person to the will of such an enraged  
 rabble; upon which he put back, and returned to the  
 tower (23).

A. D. 1381.

It is impossible to describe the fury of the rioters on  
 this disappointment. As soon as it was communicated  
 to the main body on Blackheath, they immediately set out  
 for London, destroying every thing in their way. In  
 Southwark they did much mischief, burning houses, and  
 beheading all gentlemen who were so unhappy as to fall  
 into their hands. The gate on London bridge, which  
 had been shut, being opened by the mob withip, they  
 rushed in, and spread over all the city, filling every place  
 with consternation. They burnt the noble palace of the  
 Savoye, with all its rich furniture, belonging to the  
 duke of Lancaster, the chief object of their malice. The  
 Temple, with all its valuable records, shared the same  
 fate. They cut off the heads of all the Flemings and  
 Lombards they could find; and would have done much  
 more mischief, if the greatest part of them had not been  
 overcome with liquor, and sunk into repose (24).

The insur-  
 gents enter  
 London.

In the night which succeeded this fatal day, a council  
 was held in the tower; in which the intrepid W. Wal-  
 worth, lord mayor of London, proposed to rush out upon  
 the rioters, now buried in sleep and wine, and put them  
 to the sword. But this measure appearing too dangerous  
 to the other counsellors, it was resolved, that the king  
 should endeavour to prevail upon them to separate, and  
 return home, by fair words, and by granting all their  
 demands (25).

Council  
 held in the  
 tower.

Next morning, June 14, the king sent a message to  
 the insurgents, who appeared in great multitudes on  
 Tower-hill, and demanded an audience, "That if they  
 would peaceably retire to Mile-end, he would meet

The insur-  
 gents mur-  
 der several  
 great men.

(23) Froissart, t. 2. c. 76.

(24) Id. ibid. Walsing. p. 249. Knighton. col. 2635.

(25) Froissart, t. 2. c. 76.

A. D. 1381. “ them, and hear their demands.” The great body of the rioters complied with this message ; and the king, with a few attendants, all unarmed, leaving the tower, proceeded to that place. Wat Tyler and Jack Straw, with a multitude of their most furious followers, rushed into the tower as soon as the king left it, seized Simon Sudbury, archbishop of Canterbury, the chancellor, and sir Robert Hales, the treasurer, and immediately cut off their heads, with those of some other persons of inferior note (26).

The king  
meets the  
insurgents.

In the mean time the king reached Mile-end, where he found an immense multitude, computed to be 60,000; to whom he addressed himself in the mildest and kindest language, asking them what they wanted, and promising to grant them whatever they desired. They demanded that they, their lands, possessions, and posterity, might be free ; and that there might be no slaves or servitude in England for ever. The king, with the greatest frankness, promised to grant them the most ample charters of freedom, under the great seal, with a pardon for all that was past, provided they would retire peaceably to their own homes. The people joyfully accepted these offers ; and about thirty expert clerks being set to work to write these charters, which consisted only of a few lines, they were sealed, and delivered to all who demanded them ; who thereupon returned home, happy in the success of their expedition (27).

Wat Tyler  
killed.

While the insurgents from Essex and Hertfordshire were thus dispersing, those of Kent were still carrying on their ravages in and about London, under the direction of their leader Wat Tyler, who had formed the most diabolical designs. These designs were to seize the king, to murder all the nobility, to plunder and then to burn the city of London. But Providence would not permit such hellish purposes to be crowned with success ; for on Saturday June 15, as the king was passing through Smithfield, with about sixty horsemen in his train, he met Wat Tyler at the head of twenty thousand of his followers. As soon as Tyler saw the king, he put spurs to his horse, and pressed into the royal presence, where he behaved in the most clownish and audacious manner, and made the

(26) *Ibid.* Walsing. p. 251. Knighton, col. 262.

(27) *Ibid.* vol. II. Append. No. 103. Walsing. p. 254.

most senseless and extravagant demands (28). The generous Walworth, lord mayor of London, who was in the king's company, not able to bear the insolence of this audacious clown, drew his sword, and with one blow felled him from his horse to the ground, where he was instantly dispatched (29). A. D. 1381.

This bold action might have been fatal to the king, and all his company, if the rioters had been allowed time to recover from their surprise. But while they were standing motionless with astonishment at the unexpected fall of their leader, the young king, with a presence of mind which seemed to be inspired from Heaven, rode up to them, and said, "My lieges, be not concerned for the loss of your unworthy leader; I am your king, I will be your leader; follow me into the fields, and I will grant you whatever you can desire." The king, riding gently on towards the open fields, the multitude followed him, hardly knowing what they did, and still less what they designed to do (30). The king's presence of mind.

In the mean time a cry arose in the city, that the insurgents had the king in their hands, and designed to murder him. Great multitudes flew to arms to rescue their sovereign, or revenge his death; and the lord mayor, in a short time, collected some thousands of brave men, well armed, under the command of sir Robert Knolles and others. He conducted them into the fields, where the king was communing with the rioters. As soon as these wretches beheld the men at arms, they were seized with a panic, fell upon their knees, and implored the king's mercy; which that prince, with equal wisdom and goodness, granted them, on condition that they immediately dispersed and returned home (31). Insurgents dispersed.

While these surprising scenes were acting in London, insurrections of the same kind were raised by the people in many other parts of England. At St. Alban's, a prodigious mob, under the command of William Gyn-dicobbe and William Cadyndon a chandler, cut off the heads of several gentlemen; and, by threatening to do the same to the abbot and all his monks, they extorted Insurrections in other places.

(28) Knighton, p. 2636.

(29) Walsing. p. 253. Froissart, l. 2. c. 77.

(30) Walsing. p. 253.

(31) Froissart, l. 2. c. 77.

A. D. 1381. from them charters of freedom and manumission (32).  
 At St. Edmundsbury, a like mob, under one Robert Westbroom, did incredible mischief, and beheaded sir John Cavendish chief justice of England, and several other gentlemen (33). In Norfolk, an immense multitude of rustics had got together, under the command of John Littister, a dyer in Norwich, who assumed the title of *king of the commons*. They carried some lords and gentlemen through the country with them, to countenance their proceedings, which were as cruel and destructive as those of the other rioters (34). But all these insurrections were happily of very short continuance. The Norfolk insurgents were defeated and dispersed by Henry Spencer, the martial bishop of Norwich (35). Those of St. Alban's, St. Edmundsbury, and other places, having heard of the death of Wat Tyler, and the dispersion of his followers at London, separated, and retired to their own homes; so that in a very few days this dreadful storm was succeeded by a profound calm (36).

The king raises an army, and revokes the charters.

As soon as the insurgents were every where dissipated, the king summoned all the military tenants of the crown to appear immediately at London, with horses and arms. This summons was so well obeyed, that in a few days a gallant army of 40,000 horsemen appeared at the rendezvous on Blackheath. As soon as the king found himself supported by so great a power, he issued a proclamation June 30, commanding all tenants in villainage to perform their usual services to their lords (37). In a few days he proceeded a step further; and at Chelmsford July 2, published letters-patent, revoking all the charters of freedom which had been lately granted to the common people of Essex, and some other places (38).

Insurgents tried and executed.

The kingdom being now restored to a state of perfect tranquillity, commissions were granted to certain judges to go into the different counties, for the trial of the most criminal of the rioters. These commissions were executed with so much severity, especially by sir Robert Tresilian, chief justice of the king's bench, that about fifteen hun-

(32) Walsing. p. 254, 255, 256, 257. (33) *Ibid.* p. 261.

(34) *Ibid.* p. 263.

(35) *Ibid.* p. 264.

(36) Froissart, l. 2. c. 77.

(37) Rymer, t. 7. p. 315, 316.

(38) *Ibid.* p. 217, 218.



dred unhappy wretches were condemned and executed as <sup>A. D. 1381.</sup> traitors (39).

The duke of Lancaster had resided in Scotland during the late commotions, and concluded a truce with that kingdom from July 18, 1381, to February 2, 1384 (40). <sup>Truce with Scotland.</sup>

In his return from Scotland, the governor of Berwick, by directions from the earl of Northumberland, refused him admittance into that town; which created a most violent quarrel between the duke and that brave and potent earl. A parliament being summoned to meet at Westminster on Monday November 4, both these great peers came to it, attended by their numerous followers in arms, which for some days interrupted all public business. But the king and lords having at length reconciled these powerful adversaries, the parliament proceeded in its deliberations on Saturday November 9 (41). <sup>Quarrel between the duke of Lancaster and the earl of Northumberland.</sup>

This parliament declared, that the late charters of liberty and manumission, granted to many villains and bond tenants by the king, were null and void. But though they reduced so great a multitude of their fellow-subjects to a state of servitude, they were not willing to impose any further burden upon them at this time, and refused to grant any supply. But the king, with equal obstinacy, refusing to grant a general pardon, which was thought necessary for quieting the minds of the people after the late commotions, the parliament yielded, and granted a subsidy on wool, wool-fells, and leather (42). After this the general pardon was published, and the parliament was prorogued on December 13, to January 24, to make way for a solemnity of another nature. <sup>Parliament.</sup>

The king being now in the sixteenth year of his age, a treaty of marriage was concluded between him and the princess Anne, daughter of the late emperor Charles IV. and sister to the present emperor Wenceslaus king of Bohemia; and the princess arriving in England, the marriage was solemnized in the beginning of this year (43). <sup>A. D. 1382. The king's marriage.</sup>

When the parliament reassembled January 24, the duke of Lancaster, titular king of Castile and Leon, made a proposal to carry an army into Spain, to the assistance of the king of Portugal, and to obtain possession of those two <sup>Parliament.</sup>

(39) Froissart, t. 2. c. 79.

(40) Rymer, vol. 7. p. 312.

(41) Froissart, t. 2. c. 80.

(42) Parliament. Hist. vol. 1. p. 363—368.

(43) Walsing. p. 281.

kingdoms,

**A.D. 1382.** kingdoms, if he might be allowed 60,000*l.* for the pay of that army. This proposal occasioned warm debates, and the duke was not able to carry his point at this time. The commons however were prevailed upon to continue the high duties on wool, wool-fells, and leather, for four years after Midsummer next (44).

**Unpopular  
conduct of  
the young  
king.**

The brave and prudent part which the young king had acted during the late dangerous insurrections, had filled the minds of his subjects with the most sanguine expectations of a glorious reign. But these expectations were not answered; and this prince did not long persist in this honourable course. His education had been shamefully neglected by his ambitious uncles, who were too keenly engaged in pursuing their own designs to be at any pains in forming the mind and manners of their royal pupil. They left him in the hands of young persons of dissolute characters, who corrupted his mind with flattery, and inspired him with the love of pomp and pleasure; so that he soon became vain, voluptuous, and extravagant to a very great degree. One of the first unpopular acts of Richard's government, which gave his subjects an unfavourable impression of his character, was his taking the great seal from Henry le Scroop, to whom it had been committed with the approbation of parliament, because he refused to seal certain extravagant grants of land, made to some retainers about court, who had by no means merited such rewards. The young king, incensed at this opposition to his will, took the seal into his own hands, put it to these grants, and then delivered it to Robert Baybroke bishop of London (45).

**Parliament.**

A parliament met at Westminster, Monday October 6, and after some time spent in deliberation, granted the king a fifteenth and a tenth for defraying the expences of the war with France, and the other enemies of the kingdom (46).

**Schemes for  
prosecuting  
the war.**

The bishop of Hereford then laid before the parliament, for their advice, two schemes for prosecuting the war. The first was, by sending the duke of Lancaster into Spain with an army of 2000 men at arms, and archers, for whose pay he now demanded only 45,000*l.* The

(44) Parliament. Hist. vol. 1. p. 368—370.

(45) Walling. p. 290. Rymer, vol. 7. p. 362

(46) Parliament. Hist. vol. 1. p. 371.

other scheme was, to assist the people of Flanders, who were then at war with their own sovereign, who was supported by France. The house of lords, after a solemn debate, declared it to be their opinion, that the army proposed by the duke was too small to perform any effectual service; and the house of commons discovered a still greater dislike to the duke's proposal. The whole parliament seemed rather to favour the second scheme, of an union with the Flemings (47). A. D. 1383.

This was partly owing to a proposal which was at this time made by the bishop of Norwich, who had distinguished himself so much by suppressing the late insurrections in his diocese. This martial prelate offered to raise an army of 3000 men at arms, and 3000 archers, to transport them to Calais, and, in conjunction with the Flemings, to serve one year against France, on condition of receiving the subsidies granted in the last parliament, both by the clergy and laity (48). But while the English were deliberating, the French were acting; and having obtained a victory over the Flemings at Comines, and another at Rosebecque, they reduced all Flanders except Gand, which was besieged (49). Proposal of the bishop of Norwich.

This rapid progress of the French arms, with their threatening to besiege Calais, raised a great alarm in England, and occasioned the meeting of a parliament on Monday February 23. The bishop of London, lord chancellor, told the parliament, that the design of calling them was to have their advice, whether the king should go into Flanders in person, with a royal army, to the relief of Gand, or what other method should be taken to prosecute the war (50). The parliament, after deliberating some days, gave it as their advice, that since the truce with Scotland was near expiring, and the Scots seemed to be disposed to renew hostilities, it was not proper that either the king, or any of his uncles, should leave the kingdom; but they advised him rather to accept of the proposal of the bishop of Norwich, for relieving Gand, and carrying on the war with France (51). Parliament.

In consequence of this parliamentary advice, an agreement was made with the bishop, who sailed with the best expedition of the bishop of Norwich.

(47) Parliament. Hist. vol. 1. p. 371, 372.

(48) Walling. p. 291.

(49) Froissart, t. 2. ch. 125, 126.

(50) Parliament. Hist. vol. 1. p. 373.

(51) Id. ibid. p. 374.

A. D. 1383. part of his troops to Calais in May (52). This ecclesiastical general was not acting on this occasion so much out of character as may appear at first sight. He found means to bring religion into the quarrel; and was not only general for the king of England against the king of France, but leader of a croisade for pope Urban VI. who resided at Rome, and was acknowledged by the English, against pope Clement VII. who resided at Avignon, and was received by the French, Castilians, and Scots (53). This last character was of great advantage to the bishop, and enabled him both to raise and pay his army. The military men flew to his standard to gain the pardon of their sins, which was promised to all who engaged in this pious enterprise; and the good ladies of England, thinking that the old gentleman at Rome had a much better right to keep the keys of the kingdom of heaven than his antagonist at Avignon, contributed very liberally both in money and jewels to the expences of the expedition (54).

Progress of  
the bishop  
of Norwich.

The bishop having spent some days at Calais in refreshing his men, took the field, and was very successful in his first military operations. He took Gravelines by assault; and having defeated an army of 30,000 French and Flemings near Dunkirk, he made himself master of that place. He then gained the towns of Burburgh, Cassel, Dixmude, Furnes, Newport, and Popering, with some others, and besieged Ypres. But this place put a stop to his career: being strongly fortified, and bravely defended, it resisted all his assaults; and his army, hearing of the approach of the king of France, decamped with great precipitation, without his consent. One part of the English army marched to Burburgh, under sir Thomas Trivet and others, and the other part of it retired, with the bishop, to Gravelines. The French army invested Burburgh, and obliged the English to surrender the place, on condition of being allowed to march, with their arms, horses, and baggage, to Calais (55). The French then sat down before Gravelines, where, apprehending a stout resistance, they offered the bishop 15,000 marks, with liberty to demolish the town,

(52) Rymer, vol. 7. p. 385. 406. Walsing. p. 298.

(53) Walsing. p. 292. (54) Knighton, p. 2671. Walsing. p. 297.

(55) Froissart, l. 2. c. 142. 145. Walsing. p. 298—303.



and to retire with his army where he pleased. The bishop, after waiting some time for succours from England, accepted these terms, and, having demolished Gravelines, returned home with the shattered remains of his army (56). Thus ended this famous expedition of this martial bishop, in which he did not betray any want of military skill or courage. A. D. 1383.

Soon after the bishop's return, a parliament met, Parliament. October 26, to deliberate concerning a peace with Scotland, and the means of prosecuting the war with France and Castile (57). The Scots had engaged to send commissioners to this parliament to negotiate a peace; but, at the instigation of France, they neglected to do this till it was too late (58). The parliament granted the king two half-fifteenths for defraying the expences of the war (59).

The bishop of Norwich was arraigned before this assembly, by the king's ministers, for the miscarriage of his expedition; and though he defended himself with great spirit, yet finding the torrent too strong to be resisted, he cast himself on the king's mercy, and was for some time deprived of his temporalities (60). Bishop of Norwich accused.

About this time overtures for a peace between England and France were made by the duke of Brittany; and the duke of Lancaster going over to Calais, entered into a negotiation on that subject with the dukes of Berry and Burgundy, uncles to the king of France. But the French insisting on the restitution of Calais, Cherburg, and Brest, these negotiations produced only a truce from January 26, to Michaelmas, in which the Scots were to be included, if they pleased (61). The Scots, meditating an incursion into England, did not immediately accept of the truce; and the duke of Lancaster, after his return from Calais, made an expedition into Scotland, where he plundered and burnt some places; which the Scots soon after retaliated, and then acceded to the truce (62). A. D. 1384. Truce with France and Scotland.

(56) Walsing. p. 305.

(57) Parliament. Hist. vol. 1. p. 378.

(58) Walsing. p. 307.

(59) Parliament. Hist. vol. 1. p. 379.

(60) Cotton's Abridgment, p. 192.

(61) Rymer, t. 7. p. 419—423. Froissart, l. 2. c. 147.

(62) Id. ibid. c. 148, 149, 150.

A. D. 1384.

Confusions  
in London.

The city of London was about this time a scene of great confusion, and of frequent tumults, occasioned chiefly by John Northampton the late mayor, a creature of the duke of Lancaster's. But one John Constantin being condemned and executed, and Northampton imprisoned, the tranquillity of the city was restored (63).

Duke of  
Lancaster  
accused.

An affair of a very dark and mysterious nature was transacted at a parliament which met at Salisbury, April 25. An Irish Carmelite friar accused the duke of Lancaster, before the king and council, of having formed a plot to murder the king and usurp the crown. The duke, just then returned from his expedition into Scotland, denied the charge with great vehemence, and insisted that his accuser should be confined until he had made good his accusation. The friar was accordingly committed to the custody of sir John Holland; but he was found dead in his chamber, on the night before the day appointed for his appearance in council. The enemies of the duke gave out, that the poor friar had been murdered; and the duke's friends asserted, that he had killed himself (64). At this distance of time it is impossible to discover which of these assertions was most agreeable to truth. This parliament at Salisbury granted the king one half-fifteenth (65).

Truce with  
France.

Though the duke of Lancaster was very unpopular, and generally suspected of the most ambitious and criminal designs, his power, wealth, and influence, were so great, that he still had the chief direction of public affairs. He went into France in August, with a grand retinue, to renew the negotiations for a peace; but after spending 50,000 marks, he obtained only a truce till May 1, A. D. 1385 (66).

Late mayor  
of London  
tried.

The king's ministers took the opportunity of the duke's absence to bring his great partisan John Northampton to his trial: and he was sentenced to perpetual imprisonment a hundred miles from London, and his estate confiscated (67).

Intention to  
bring the  
duke of  
Lancaster to  
trial.

Encouraged by this success, the ministry formed the bold design of bringing the duke himself to a trial for treason, before sir Robert Tresilian, chief justice of the

(63) Walsing. p. 308. (64) Walsing. p. 309. (65) Id. p. 310.

(66) Rymer, vol. 7. p. 438—447. Walsing. p. 310.

(67) Walsing. p. 310.

king's bench: a design equally imprudent and illegal. A.D. 1384.  
 The duke, informed of their intention, retired to his castle of Pontefract, and every thing seemed to threaten a civil war, when the princess of Wales interposed, and with much difficulty patched up a kind of reconciliation between the duke and the king her son (68).

A parliament met at Westminster, November 12, and granted the king two fifteenths to enable him to prosecute the war with France, Castile, and Scotland, at the expiration of the truce (69). Parliament.

The French, resolving to remove the seat of the war out of their own country, sent John de Vienne, admiral of France, with a fleet, a body of troops, and a large sum of money, to engage the Scots to invade the north of England; while a prodigious fleet and army was preparing in France for an invasion of it in the south (70). The Scots, ever ready to listen to such proposals, made an incursion into Northumberland, burning and plundering the country. The king, resolving to march in person against the Scots, summoned all the military tenants of the crown, and, in August, entered Scotland at the head of thirty thousand horse, besides foot. The Scots, unable to meet this army in the field, retired northward, carrying with them their cattle and most valuable effects; and the English, meeting with no opposition, burnt Edinburgh and some other towns, and desolated the open country. But while they were thus employed, an army of Scots had entered the west marches, and were acting the same destructive part; which obliged the English to evacuate Scotland, and return, about the middle of September, to the defence of their own country (71). If the other part of the scheme had been as well executed, England would have been exposed to much danger; but so much time was spent in collecting ships for transporting the troops to the English coast, that it was not till September that a fleet of 1200 sail rendezvoused in the harbour of Sluys. Here they were detained near two months by contrary winds; so that it was at length resolved to delay the expedition till next spring (72). A.D. 1385.  
Richard's  
expedition  
into Scotland.

(68) Walsing. p. 314.

(69) Parliament. Hist. vol. 1. p. 383.

(70) Walsing. p. 316. Froissart, l. 2. c. 136.

(71) Knighton, col. 2742. Froissart, l. 2. c. 171, 172, 173.

(72) Froissart, l. 3. c. 25.

A. D. 1385.

Richard  
bestows ho-  
nours on his  
favourites  
and his un-  
cles.

When the king entered Scotland with his army, he conferred new honours, and extravagant grants, on his two great favourites, Michael de la Pole, the chancellor, and Robert de Vere earl of Oxford; and his two uncles, the earls of Cambridge and Buckingham, were not ashamed at this time to share with these favourites in the spoils of the crown. The earl of Cambridge, lately returned from Portugal, was made duke of York, and the earl of Buckingham duke of Gloucester, with a grant of 1000*l.* a-year to each of them (73). Michael de la Pole was made earl of Suffolk, with a grant of 1000 marks a-year; and the earl of Oxford was made marquis of Dublin, and not long after duke of Ireland, with a grant of the whole kingdom of Ireland. All these new honours and grants were confirmed by a parliament, which met October 20, and gave the king a tenth and fifteenth, and half a tenth and fifteenth, for prosecuting the war (74).

A. D. 1386.

Duke of  
Lancaster's  
expedition  
into Spain.

So good an understanding subsisted at this time between the king's favourites and his uncles, that the duke of Lancaster was at length indulged in his darling design of conducting an English army into Spain, to assert his claim to the crowns of Castile and Leon; and one half of the supplies granted by the last parliament was given him for that purpose. The conjuncture was thought favourable for prosecuting this design. John, the present king of Castile, having married Beatrix, the only legitimate child of Ferdinand late king of Portugal, claimed that crown, and, in order to obtain it, besieged Lisbon. But the Portuguese, hating the Castilians, placed John, a natural brother of Ferdinand, on the throne; and under his conduct, raised the siege of Lisbon, and gained a great victory over the Castilians at Aljubarata (75). The new king of Portugal, still dreading the superior power of his rival the king of Castile, entered into a strict alliance with the duke of Lancaster, engaging to assist him with his whole power in obtaining possession of the kingdoms of Castile and Leon. The duke, encouraged by so powerful an ally, raised an army of 20,000 men; and taking with him his wife Constantia, heiress of Castile, and his daughters, Philip<sup>a</sup>, Elisabeth, and Catherine,

(73) Rymer, vol. 7. p. 481—484.

(74) Parliament. Hist. vol. 1. p. 387. Walsing p. 320. 321

(75) Froissart, l. 3. c. 15.



failed from Portsmouth in May; and having, in his passage, raised the siege of Brest, which was besieged by the duke of Brittany, he arrived at Corunna August 9 (76). Here we shall leave him to prosecute his claim, and return to the affairs of England. A. D. 1386.

The French thinking this a proper season for invading England, when deprived of so great a number of her bravest sons, made prodigious preparations for that purpose. The army designed for this expedition, when reviewed at Arras, amounted to 63,000 men, and a fleet of 1200 ships was provided at Sluys for transporting this army (77). These mighty preparations occasioned a great alarm in England, especially at London; but after the first consternation was over, and the military forces of the kingdom were properly stationed along the coasts, they waited with great tranquillity the arrival of the enemy. They never did arrive: for the season was so far advanced before the duke of Berry joined them with his followers, that it was resolved in a great council of war to delay the expedition till the next year (78). Thus ended all those prodigious preparations of the French for invading England, which for several months had engaged the attention of all Europe, and by the expences of which many of the French nobility were almost ruined. French invasion threatened.

While the kingdom was in daily expectation of this French invasion, a parliament was summoned to meet October 1, to provide for the support of the great number of troops employed in guarding the coasts (79). Parliament.


It might have been imagined that the impending danger of so formidable an invasion would have rendered this great assembly hearty and unanimous in supporting government. But this was far from being the case. The house of commons, instead of granting the supplies, made bitter complaints against Michael de la Pole, earl of Suffolk, lord chancellor, and insisted on his being immediately removed from his high office, and from the king's council. The king, to avoid granting this, retired to Eltham with his whole court; and the parliament Dissensions between the king and parliament.

(76) Froissart, l. 3. c. 29, 31, 32. Walsing. p. 321. Knighton, col. 2677.

(77) Walsing. p. 325. Froissart, l. 3. c. 35.

(78) Froissart, l. 3. c. 41, 42, 43, 44

(79) Parliament. Hist. vol. 1. p. 390 Cotton. Abridg. p. 314.

A. D. 1386.  sent the duke of Gloucester (the chief mover of this prosecution against the ministers) and James Arundel bishop of Ely, to invite the king to return to his parliament; and to threaten, that if he did not comply, they would immediately dissolve, and leave the nation in its present distracted state. The king, not complying at first, the parliamentary commissioners made a second speech in a much higher strain, putting him in mind of the deposition of Edward II. and plainly intimating that this would be his fate, if he did not return to his parliament (80).

Earl of  
Suffolk  
concerned.

The king, intimidated by this threat, promised to come in three days, and give his parliament full satisfaction. He came accordingly, and in full parliament the bishop of Ely was made chancellor in the room of the Earl of Suffolk, who had resigned, the bishop of Hereford was made treasurer instead of the bishop of Durham, and John de Waltham was made keeper of the privy seal. The resignation of the earl of Suffolk did not appease the house of commons, who brought an impeachment against him before the lords, for high crimes and misdemeanours. Such as peruse the articles of this impeachment with candour, will probably be of opinion, that there was much of party-rage in this prosecution; and that the earl's greatest crime was, the too great share he had in the favour and confidence of his royal master (81). He was found guilty, deprived of all he had received from the crown, except the title of *Earl of Suffolk*, and sol. a year out of the profits of that county, and committed to the custody of his mortal enemy the duke of Gloucester.

Council of  
regency  
appointed.

The parliament did not think fit to prosecute any other of the king's ministers at this time; but they obliged himself to sign a commission to certain lords, eleven in number, with the chancellor, treasurer, and keeper of the privy seal, which divested him of all authority, and entirely changed the English constitution for a season (82). After all these transactions, this famous parliament granted the king a half tenth and fifteenth, three shillings on

(80) Knyghton, col. 2680—2683.

(81) Id. col. 2684, 2685. Par. Hist. vol. 1. p. 397—399.

(82) Id. col. 2686—2692. Id. ibid. vol. 1. p. 401—404.

every ton of wine, and one shilling in the pound on all merchandise, for the defence of the nation. A. D. 1386.

The duke of Lancaster, after landing at Corunna, made an unsuccessful attack on the castle of that place; but he was more fortunate in his attempts on St. Jago de Campostella, Padrene, and some other towns of Galicia, which submitted. After the campaign was over, he had an interview with the king of Portugal at Porto, where a marriage was solemnized between that king and the princess Philippa, the duke's daughter by Blanche of Lancaster, his first wife. At this interview, these two princes settled the plan of their operations for the next campaign, against their common enemy John king of Castile (83). Proceedings of the duke of Lancaster in Spain.

As soon as the king had signed the above commission, investing the eleven commissioners, together with the new chancellor, treasurer and keeper of the privy seal, with an almost unlimited authority, he found that he possessed no more than the empty name of king. His person was neglected, his court deserted, and all applications made to the duke of Gloucester, and the other commissioners, who were all, except the archbishop of York, zealous partisans of the duke. This neglect and solitude was very disagreeable to a young prince, fond of power, but still more fond of pomp; and there is no reason to doubt, that he entertained a very lively resentment against his two uncles the dukes of York and Gloucester, and the lords of their party, who had reduced him to this state of insignificance. He was still attended by a few persons, who were the chief objects of his affection, and were resolved to share his fortunes. The chief of these were Robert de Vere, lately created duke of Ireland, the earl of Suffolk, who had escaped out of his prison at Windsor, Alexander Nevel, archbishop of York, sir Robert Tresilian, chief justice of the king's bench, sir Nicholas Brembre, late mayor of London, sir Simon de Burley, constable of Dover castle, and some others of inferior note. The king held frequent consultations with these confidants about the means of emancipating himself from his present state of subjection, and recovering his lost authority. In these consultations, it is

A D. 1387 not improbable, that some very rash and desperate proposals were made. But many designs are said to have been formed by the king and his ministers, so foolish as well as wicked, that it seems probable they were the political lies of the day, invented and propagated by his enemies, to inflame the popular hatred against him and his favourites. Sometimes it was reported that the king and his ministers designed to seize the third part of every man's personal estate, or to impose a heavy tax on every man's head of 6s. 8d. At other times it was rumoured, that Richard intended to poison the duke of Gloucester at a city-feast, or to murder him in an ambuscade. One day it was given out, that the king was bringing over an army of Bohemians and Germans, and the next an army of French, to cut the throats of all his enemies (84). These reports were circulated with great industry by the prevailing party, and rendered the unhappy Richard, and his few adherents, the objects of universal detestation.

Intended  
invasion  
from  
France  
prevented.

While this was the state of affairs in England, the French were preparing for an invasion. But when all things were in readiness, an event happened which entirely blasted the design. De Clifton constable of France, who was to command in this expedition, had lately paid a great sum of money for the ransom of John de Blois, pretender to the duchy of Brittany, who had been many years a prisoner in England. This raised the jealousy of the reigning duke of Brittany, who seized De Clifton when he was ready to embark, and threw him into prison (85). In the mean time the earl of Arundel, admiral of England, put to sea with a gallant fleet; and falling in with a large fleet of French, Flemish, and Spanish merchantmen, escorted by some ships of war, on March 24, he obtained a complete victory, took a hundred and sixty sail, loaden chiefly with wine, and brought them into England (86).

Proceedings  
of the duke  
of Lancaster  
in Spain.

The duke of Lancaster, with his son-in-law the king of Portugal, took the field about the beginning of May, and made themselves masters of some places in the kingdom of Leon. But the king of Castile having received a reinforcement of French troops, appeared at the head

(84) Froissart. l. 3. c. 77, 78. Walsing. p. 224.  
l. 3. c. 74, 75, 76.

(85) Froissart.  
(86) Walsing. p. 396. Knighton, col. 269.



of an army, and put a stop to their further progress. <sup>A. D. 1387.</sup> The heat of the climate was more destructive to the English army than their enemies; and two thirds of them are said to have died this summer of a contagious distemper. The duke himself was seized with the same distemper, and brought to the point of death. After his recovery, despairing of the conquest of Castile, he retired, with his family, and the shattered remains of his army, into Guienne (87).

King Richard, to divert his chagrin, and perhaps with some other views, set out with a slender retinue, about the beginning of August, on a progress into the north. <sup>Consultation at Nottingham.</sup> At Nottingham, on the 25th of that month, he held a council of his confidants, consisting of the archbishops of York and Dublin, the bishops of Durham, Chichester, and Bangor, the duke of Ireland, the earl of Suffolk, and a few others. At this council certain questions were proposed to the judges, who attended for that purpose, concerning the illegality of the late famous commission. To these questions the judges returned answers in writing, under their seals, declaring the commission illegal; and that all who advised, promoted, and acted under it, were guilty of treason, and ought to be punished as traitors (88).

This transaction did not long remain a secret; for the very next day Roger Fulthorp, one of the justices of the common pleas, communicated it to the earl of Kent, and it soon reached the ears of the duke of Gloucester, and the lords of his party, whom it so nearly concerned. Alarmed at this intelligence, the duke and his partisans determined to prevent their own destruction, by the ruin of their enemies about the king. With this view they sent private orders to their friends and followers to hold themselves in readiness to take arms at a moment's warning; and dispatched the archbishop of Canterbury to persuade the king to return to London, which, being entirely at their devotion, was the most proper place for executing their design. The archbishop succeeded in his embassy, and, without much difficulty, persuaded the king and his favourites (who do not seem to have had the

(87) Froissart, l. 3. c. 87, 88, 89. 91, 92. 94.

(88) Knighton, col. 2693. Parl. Hist. vol. 1. p. 407, &c.

A. D. 1387. least suspicion of what was designed against them) to return to London. The king, accompanied by his devoted ministers, entered that city on Monday November 10, and was received by the mayor, and a great multitude of citizens, on horseback, and conducted to his palace (89).

Duke of Gloucester and his partisans take arms.

But the very next day the king received intelligence, that the duke of Gloucester, the earls of Arundel and Warwick, were approaching, at the head of an army of 40,000 men (90). He did not long remain ignorant of their intentions; for these lords, being arrived with their army at Haringay park, sent a letter to the lord mayor of London, on Wednesday the 13th, desiring, or rather commanding him to make proclamation in the city, that their design in taking arms was to bring the traitors about the king's person, viz. the archbishop of York, the duke of Ireland, the earl of Suffolk, Robert Tresilian false justice, and Nicholas Brembre false knight, to justice (91). The next day the three lords were joined at Waltham-croft by the earl of Derby and the earl marshal; and these five made a formal appeal, or accusation of high treason, against the five ministers above mentioned, before the prelates of Canterbury and Ely, who notified this appeal the same day to the king at Westminster (92).

Gloucester, &c. introduced to the king in Westminster-hall.

It was now high time for those five who saw their destruction was determined, to consult their own preservation. The duke of Ireland made his escape into the north, and the rest concealed themselves in different places. After this the lords appellants, as the duke of Gloucester and the four earls were called, agreed to appear before the king in Westminster-hall, on Sunday the 17th, to make known their grievances and desires (93). On that day the lords entered the city with extreme caution, and pretended to be under the greatest apprehensions of being surprised and destroyed by their enemies. They spent so much time in searching York-house, the Mews, and other places, for ambushes, that the king waited two hours in Westminster-hall, seated on his throne, before they appeared. When they approached the throne, they fell upon their knees, and, with great professions of

(89) Knighton, col. 2696.

(90) Id. col. 2699.

(91) Id. ibid. Brad. MSS. vol. 2. p. 368.

(92) Knighton, col. 2700.

(93) Knighton, col. 2701. Walling. p. 330.

loyalty, declared, that in taking up arms they had no design against his royal person or authority, but only to bring the five traitors whom they had accused to punishment. The king, taking each of them by the hand, raised them from their knees, and assured them, that the persons appealed should be brought before the next parliament, which was to meet on February 3, to undergo their trial (94).

A. D. 1387.

In the meantime, the duke of Ireland was endeavouring to raise an army for his own defence, and the deliverance of his royal master; and, by the assistance of some gentlemen in Cheshire, he got together a body of 5000 men, with which he begun his march towards London, in hopes that his forces would increase as he advanced. But the confederated lords immediately put themselves at the head of their army, reinforced by a great body of Londoners, and marched northwards. The two armies met, December 20, at Radcot-bridge in Oxfordshire, where a battle was fought, in which the troops of the duke of Ireland were entirely routed, the duke escaping with great difficulty, by passing the river Isis on horseback, at the hazard of his life (95).

Duke of Ireland defeated.

The duke of Gloucester, with the lords of his party, marched back to London with their victorious army, and arrived at Clerkenwell December 26, where they were met by the lord mayor, who delivered to them the keys of the city. The same day they had a conference with the king in the tower, who being now wholly in their power, gave orders for committing to prison, or banishing from court, every person whom they thought fit to name. About fourteen lords, knights, and gentlemen, were committed on this occasion to different castles, to take their trials at the approaching parliament; two bishops, three lords, and three ladies, were banished from court; not so much as one person being left about the king for whom he had the least affection, or in whom he could place the smallest confidence (96).

The king's attendants imprisoned or banished.

On Monday February 3, that famous parliament, so much dreaded by the one party, and desired by the other, met at Westminster. The session was opened by a speech

A. D. 1388. Parliament.

(94) Id. p. 331. Rymer, vol. 7. p. 567.

(95) Knyghton, col. 2703.

(96) Id. col. 2705, 2706.

A.D. 1398. from the lord chancellor, the bishop of Ely, declaring the design of the meeting to be, “ To consider by what  
 “ means the troubles in the kingdom for want of good  
 “ government, might be ended, the king better advised,  
 “ the realm better governed, misdemeanors more severe-  
 “ ly punished, good men better encouraged, the sea  
 “ best kept, the marches of Scotland best defended, and  
 “ Guienne preserved; and how the charges of all these  
 “ things might be most easily borne (97).”

The five lords appellants then exhibited their accusation of high treason against Alexander archbishop of York, Robert de Vere duke of Ireland, Michael de la Pole earl of Suffolk, sir Robert Tresilian, and sir Nicholas Brembre, digested into thirty-nine articles (98). These articles are very long, containing many general charges against the accused—of engrossing the royal favour—giving the king ill advice—obtaining grants for themselves and their friends from the crown, and the like. The famous opinion of the judges at Nottingham was not forgotten; every thing was much exaggerated, and expressed with the greatest acrimony. The accused being called several days, and not appearing, and the lords having taken some time to examine the articles, they, on Thursday 13th of February, condemned all the five to be executed as traitors, and their estates confiscated (99).

Destruction  
of the king's  
favourites.

The duke of Ireland had made his escape into Holland, where he died about four years after. The earl of Suffolk also got beyond seas, and died at Paris this same year (100). The archbishop of York was taken at Shields; but his enemies not daring to execute one of his character, he was allowed to escape, and spent the short remainder of his days in Flanders, as curate of a small parish. Sir Robert Tresilian and sir Nicholas Brembre being taken, were executed, the one on the 19th, the other on the 20th of February (101).

Compliment to the  
king.

To pay a compliment to the king, when they were thus destroying his most zealous friends, the prevailing party thought fit to have it declared in parliament, that

(97) Parliament. Hist. vol. 1. p. 411.

(98) Brady Hist. vol. 2. p. 372—383. Parliament. Hist. vol. 1. p. 414—427.

(99) Parliament. Hist. vol. 1. p. 414—427.

(100) Speed, p. 604.

(101) Parliament. Hist. vol. 1. p. 431.



nothing contained in the articles against the five condemned traitors should reflect any dishonour on the king, on account of his youth, and the innocency of his royal person (102). A. D. 1389.

On the first day of parliament, sir Robert Belknap, chief justice of the common pleas, sir Roger Fulthorp, sir John Holt, sir William Burgh, judges of the same court, sir John Carey, chief baron of the exchequer, and John Loketon, king's serjeant, had been taken out of the courts of Westminster-hall, and committed to the tower; and on Monday March 2, they were impeached by the commons of high treason, for putting their hands and seals to the famous questions and answers at Nottingham. The judges and serjeant pleaded in excuse, that they had been overawed and threatened by the archbishop of York, the duke of Ireland, and earl of Suffolk, to do what they had done. No regard was paid to this excuse; and on March 6, they were all condemned to be drawn and hanged as traitors, and their estates confiscated. But their lives were spared, at the intercession of the bishops; and they were sent into Ireland, and there confined to different towns for life (103). Judges banished.

On Tuesday March 3, John Blake and Thomas Uff were impeached of high treason by the commons; the former for drawing up the questions proposed to the judges at Nottingham, and the latter for procuring himself to be made under-sheriff of Middlesex, with a design to arrest the duke of Gloucester and other lords. They both pleaded, that they acted by the king's command. But, without regard to this plea, they were condemned on March 4 to be drawn and hanged as traitors; and this sentence was executed upon them that same day (104). Others condemned and executed.

On Friday March 6, the bishop of Chichester, the king's confessor, was impeached of high treason by the commons, for being present when the questions were proposed to the judges at Nottingham, and for persuading and threatening them to give their answers. He denied the last part of the charge with great solemnity, and declared, that the judges had acted on that occasion with perfect freedom. But notwithstanding this defence, he Bishop of Chichester banished.

(102) Parliament. Hist. vol. 1. p. 422.

(103) Parliament. Hist. vol. 1. p. 432. Rymer, vol. 7. p. 591.

(104) Parliament. Hist. vol. 1. p. 434.

A. D. 1388. was condemned to the punishment of a traitor, his estate confiscated, and the temporalities of his see to be seized into the king's hands. But his life was spared on account of his office, and he was banished into Ireland (105).

More persons accused.

The vindictive spirit of the duke of Gloucester and his party was not yet satisfied; for on March 12, sir Simon Burley, sir John Beauchamp, sir John Salisbury, and sir James Berners, were all impeached of high treason; and a charge, consisting of sixteen articles, exhibited against them by the commons. The chief crimes alledged against them in these articles were, their being privy to the designs of the five persons first condemned by this parliament; their possessing too great a share in the favour and confidence of the king, and giving him ill advice. They all pleaded, Not guilty; and the holydays now approaching, the parliament adjourned on Friday March 20, to Monday April 14. This famous parliament was by this time become little better than a party confederacy, ready to gratify all the passions of the duke of Gloucester and the other lords: for on the day of the adjournment all the members of both houses took a solemn oath, to stand by Thomas duke of Gloucester, Henry earl of Derby, Richard earl of Arundel and Surrey, Thomas earl of Warwick, and Thomas earl marshal, to maintain and support them with all their power, and to live and die with them against all men (106).

During the recess of parliament, great endeavours were used to save the lives of the four impeached knights, particularly of sir Simon Burley. This gentleman had been greatly esteemed by Edward III. and the Black Prince, by whom he had been appointed tutor to Richard. He was much beloved by the king, whom he had constantly attended from his infancy; and having conducted the queen into England, he stood high in her favour. This princess, who was commonly called *the good queen Anne*, fell on her knees before the duke of Gloucester, and with the most earnest importunity begged the life of Burley (107). But all in vain; the duke was inexorable; and Burley being brought into parliament on May 5, was found guilty of high treason, and beheaded that same day on Tower-hill. On the 12th May, the other three

(105) Parliament. Hist. vol. i. p. 437.

(106) Brady Hist. vol. 2. Append. No. 126.

(107) Vita Ricardi II. p. 102.

knights had the same sentence pronounced and executed upon them, Beauchamp and Berners being beheaded, and Salisbury hanged (108). A. D. 1388.

The parliament had, in the intervals of these trials, Grants, found leisure to grant the king three shillings on every ton of wine imported, a shilling in the pound on all merchandise, except wool, one half-tenth, and one half-fifteenth; and on June 2, they continued the high duties on wool, wool-fells, and leather (109). The duke of Gloucester, having taken this dreadful vengeance on his enemies, did not forget to reward himself and his friends; for he obtained a vote for 20,000*l.* to himself and the other lords appellants, out of the subsidy on wool; and then this parliament was dissolved June 4, after a session of four months, the longest that had ever been in England.

The sentiments of the people of those times were much divided concerning the conduct of this famous parliament. The prevailing party called it "the parliament that wrought wonders;" but others gave it the appellation of "the parliament without mercy (110)". It cannot be denied, that this assembly declared many things to be high treason, and punished them as such, which bore no resemblance to that great offence; never reflecting, when inflamed with party-rage, that they were making precedents which might one day prove fatal to themselves, or their posterity.

It was very happy for the English at this time, that the king of France was so much engaged in emancipating himself from the dominion of his uncles, that he could take no advantage of their civil dissensions. But the Scots made several incursions into the north of England in this spring and summer; and an army of them, commanded by the earl of Douglas, besieged Newcastle. Henry lord Percy, better known in history by the name of *Hotspur*, obliged the Scots to raise the siege; and following them to Otterburn, a bloody battle was there fought August 10, in which earl Douglas was slain on the one side, and on the other Hotspur and his brother Ralph

(108) Parliament. Hist. vol. 1. p. 436.

(109) Rymer, vol. 7. p. 620. Cotton's Abridg. p. 332.

(110) Knyghton, col. 2701.

**A. D. 1388.** Percy were taken prisoners; and both nations claimed the victory (111). The earl of Arundel, admiral of England, put to sea this summer with a gallant fleet, made some descents on the coast of France, and took a considerable number of ships (112).

Transac-  
tions of the  
duke of  
Lancaster.

The duke of Lancaster spent this whole year in Guienne, where he was more successful in his political intrigues, than he had been the year before in his warlike enterprises. The duke of Berry, uncle to the king of France, paid his addresses to the princess Catherine, only child of the duke of Lancaster, and his wife Constance, heiress of Castile. The king of Castile was greatly alarmed at the news of this courtship, apprehending, that if this marriage took effect, it would produce a peace between France and England; and that these two powerful nations would unite in pulling him down from his throne, and placing the duke of Berry in his room. To prevent this danger, he caused very advantageous proposals to be made to the duke of Lancaster for a marriage between Catharine and his eldest son Henry prince of Castile. The duke, wisely considering that this was the most direct way of putting an end to all disputes about the crown of Castile, as well as of gaining great advantages to himself, accepted of these proposals; by which he was to receive 200,000 crowns for the expences of his expedition, together with an annuity of 10,000 florins to himself, and one of an equal sum to his wife Constance, during their respective lives (113).

**A. D. 1389.** The kings of England and France being both heartily wearied of that war which had so long subsisted between the two nations, sent their plenipotentiaries to Lenninghen, who concluded a truce till August 16, A. D. 1392; in which all the allies of both crowns were included (114).

Richard as-  
sumes the  
govern-  
ment.

Though Richard had now submitted about a year to the dictates of the duke of Gloucester, who ruled every thing at his pleasure, he secretly resolved to throw off the yoke as soon as possible. In consequence of this resolution, when a very numerous council was assembled, May 3, the king entered, and, in a resolute tone, de-

(111) Knyghton, col. 2728, 2729. Froissart, l. 3. c. 123—129.

(112) *Id. ibid.* c. 116, 117. 133.

(113) Froissart, l. 3. c. 138. 140. Walsing. p. 347. Rymer, vol. 7. p. 603.

(114) Rymer, vol. 7. p. 623.



manding to know, What age he was? It was answered, <sup>A. D. 1389.</sup> in his twenty-second year. Am I not then at age, replied he, to take the reins of government into my own hands, and no longer to remain under the management of tutors? The Gloucestrian party were struck dumb by this unexpected blow; and Richard, proceeding with spirit, took the great seal from Arundel archbishop of York, and gave it to William of Wickham, bishop of Winchester; he turned out the duke of Gloucester, the earls of Warwick and Arundel, and all who had been brought into office by them, and put others in their room (115). Thus was this triumphant party divested in a moment of that authority which they had obtained with so much labour, and had endeavoured to secure by shedding so much blood.

The first steps which Richard took after this total <sup>Wife administration.</sup> change in the administration were very prudent. He issued a proclamation, May 16, to inform all his subjects, that he had taken the government into his own hands; and that they might now expect to enjoy greater tranquillity than they had formerly done. Soon after he published a general pardon, and remitted the half-tenth and half-fifteenth which had been granted by the last parliament. These gentle measures so quieted the minds and gained the affections of the people, that the discarded party found it impossible to raise the least disturbance (116).

While things were in this situation, the duke of Lancaster <sup>Duke of Lancaster returns to England.</sup> returned into England in November, after an absence of more than three years (117). Soon after his arrival, Richard held a great council of peers at Reading; where the duke of Gloucester, and the lords of his party, were brought to court by Lancaster, and seemingly, at least, reconciled to the king by his mediation (118).

The flames of party which had raged with so much <sup>A. D. 1390.</sup> violence, being now a little smothered, a parliament <sup>Parliament.</sup> met in great tranquillity, January 17, at Westminster (119). The bishop of Winchester, lord chancellor,

(115) Vita R. II. p. 108. Rymer, vol. 7. p. 616. 618. 620. Walsing. p. 337. Knyghton, col. 2734.

(116) Rym. Fœd. vol. 7. p. 620. (117) Walsing. p. 342.

(118) Walsing. p. 342. (119) Parliament. Hist. vol. 1. p. 442.

**A. D. 1390.** opened the session with a speech, in which he declared, that the king being now of full age, was determined to govern his subjects in peace and quiet, and to do justice to all both of the clergy and laity. He put them also in mind, that the nation being surrounded with enemies, it would be necessary either to make peace or provide for war (120). On the fourth day of the parliament, the lord chancellor delivered the great seal, and the bishop of St. David's, the treasurer, delivered the keys of the exchequer, to the king before both houses; and all the other members of the council begged leave to resign their several offices, which was granted. After all these resignations, it was declared in full parliament, that if any one had any complaint to make against any of these persons, they might now do it with all freedom. It was answered by both lords and commons, "That they knew nothing amiss of any of them, and that they had behaved themselves well, in their respective offices." After this honourably testimony in their favour, the king re-delivered the seal to the bishop of Winchester, and the keys of the exchequer to the bishop of St. David's, and restored all the rest to their former offices, at the same time admitting the dukes of Lancaster and Gloucester into the council; but with this protestation, that he still had it in his power to retain or dismiss any of these counsellors at his pleasure (121).

**Grants.**

The king's uncles had by this time paid their court so effectually to their royal nephew; that they obtained the most valuable favours from him in this parliament. The duke of Lancaster was created duke of Aquitaine for life, with a grant of all the revenues of that duchy. Edward, eldest son of the duke of York, was created earl of Rutland, with a grant of 800 marks a-year to support that dignity. The commons granted the king forty shillings on every sack of wool exported, and five marks on every last of leather, one third of which to supply the king's present occasions, and the remainder to be reserved as a fund in case of war (122).

**Parliament.** In another Parliament, which met November 12, this subsidy on wool, wool-fells, and leather, was continued

(120) *Id. ibid.*

(121) *Id. ibid.*

(122) *Cotton Abridg p. 332.*

for three years; and one half-tenth, and one half-fifteenth, A. D. 1390.  
 were granted to defray the expences of the duke of Lancaster, and other plenipotentiaries, who were to be sent to Amiens to negotiate a peace with France (123). In this parliament the king confirmed a grant which he had formerly made, to the dukes of York and Gloucester, of 1000*l.* a-year (124). To repair the breaches which had been made in the constitution during the late commotions, it was declared by this parliament, "That the present king should be as free, and enjoy all the prerogatives that any of his noble progenitors, formerly kings of England, had enjoyed (125)." Nay, so good an understanding subsisted at this time between the king and his people, that on the last day of this parliament both houses returned their humble thanks to the king, for his good government, and for the great affection and zeal he had continually shewn for the good of his people; and the king thanked them for their grants (126).

Nothing happened during this whole year to disturb that happy tranquillity which England now enjoyed. A. D. 1391: Parliament.  
 A parliament which met November 3, at Westminster, granted the king ample supplies, and confirmed all his royal prerogatives by a statute (127).

As the truce between England and France, and their allies on both sides, was to expire this year in August, A. D. 1392: Truce.  
 great endeavours were used to bring about a peace before that time. For this purpose conferences were held at Amiens in the spring, which produced only a prolongation of the truce to Michaelmas A. D. 1393 (128).

In the mean time, the city of London fell under the heavy displeasure of the court, on account of some tumults, in one of which the populace assaulted the palace of the bishop of Salisbury, who was high treasurer. For these offences the mayor and sheriffs were imprisoned, and the city was deprived of its liberties. But the citizens having submitted to the king's pleasure, and implored his mercy, he entered the city in a kind of triumph, August 21, and was received with great demonstrations of respect and joy. Soon after this all their

Quarrel between the court and city.

(123) Knyghton, col. 2739.

(124) Parliament. Hist. vol. 1. p. 448. (125) Id. ibid.

(126) Id. ibid. (127) Id. ibid.

(128) Rymer. Fœd. t. 7. p. 722. Walling. p. 347.

A. D. 1392. charters were restored and confirmed, at the intercession of the queen (129). But the king's severity seems to have made a deeper impression on the minds of the citizens than his mercy.

A. D. 1393. Truce. Conferences for a peace between France and England were held at Lenlینگhen, in the spring of this year; and, with some interruptions, continued to May 27, A. D. 1394, when a truce for four years was concluded (130).

A. D. 1394. Expedition into Ireland. A temporary peace being now established, Richard resolved upon an expedition into Ireland, to settle the affairs of that kingdom, as well as to divert his grief for the loss of his beloved consort, the good queen Anne, who died at Shene, on Whitsunday this year (131). All the English who had estates in Ireland were commanded, by a proclamation, to be in that kingdom by September 8 (132). Having provided a fleet and army, the king sailed from Milford haven about Michaelmas, and soon after landed in Ireland, where he met with little opposition: for the Irish chieftains, finding themselves unable to make effectual resistance, came in and made their submissions; and Richard, who was naturally generous, received them kindly, and loaded them with presents. Having held a parliament, and spent the winter in Dublin, he returned into England in the spring A. D. 1395 (133).

A. D. 1395. Parliament. While the king was in Ireland, the duke of York, who had been appointed regent, called a parliament, which met at Westminster 28th January, and granted a tenth from the clergy, and a fifteenth from the laity, for defraying the expences of the Irish expedition. But to this grant the parliament annexed a protestation, "That it was not made *de jure*, but out of good will and affection to the king (134)."

Embassy to France. Richard, having been about a year a widower, resolved upon a second marriage, and sent a splendid embassy to the court of France, to demand the princess Isabella, eldest daughter of Charles VI. a child between seven and eight years of age (135). He was probably determined

(129) Walsing. p. 348. See. (130) Rymer. Fœd. t. 7. p. 770.

(131) Knighton, ed. 2741. Walsing. p. 350.

(132) Knighton, ed. 2741. Walsing. p. 350.

(133) Walsing. p. 351. (134) Parliament. Hist. vol. 1. p. 454.

(135) Rymer, Fœd. t. 7. p. 802.



to this unequal match by the hopes of accelerating the peace between the two nations, and of procuring a powerful support against his uncles, particularly the duke of Gloucester, of whose factious spirit he was in continual dread. A. D. 1395.

The English ambassadors at the court of France having settled all the articles of the intended marriage, the contract was confirmed by Charles VI. at Paris, March 9, A. D. 1396 (1396). At the same time and place, a prolongation of the truce between France and England, for twenty-five years, was ratified (1397). As the king of England and the French princess were within the prohibited degrees of consanguinity, a dispensation from the pope was necessary; which retarded the marriage till November 1, when it was celebrated with great pomp in the church of St. Nicholas at Calais, by the archbishop of Canterbury (1398). A. D. 1396.  
The king's marriage.

Thomas of Woodstock, duke of Gloucester, the youngest of king Richard's three uncles, was a prince of a covetous, ambitious, proud, and turbulent disposition. Though he had received grants of immense value from his nephew, he was constantly engaged in factious machinations to disturb his government. He had been at the head of that party which had extorted a commission to do what they pleased, A. D. 1386, and had made such a cruel use of their power, by destroying all the king's ministers, judges, and servants. He had opposed the French marriage and truce while they were in agitation, and exclaimed loudly against them after they were concluded. He seldom came to court, but to insult his sovereign, or to council, but to thwart his measures (1399). He had several meetings in the spring and summer of this year with the principal prelates and nobles of his party; in which, it is said, the most daring designs were formed against the government, if not against the person of the king (1400). Richard was not ignorant of his uncle's disaffection, and began to be under uneasy apprehensions about its consequences. These apprehensions were much increased by his two uterine brothers, the earls of Kent A. D. 1397.  
Duke of Gloucester, &c.  
apprehended.

(136) Rymer. Fœd. t. 7. p. 820.

(137) Id. ibid. p. 821, &amp;c.

(138) Id. ibid. p. 846. Walsingham, p. 353.

(139) Fabian Chronicle, vol. 2. p. 149. Froissart, v. 4. c. 86.

(140) Id. ibid.

A. D. 1397. and Huntington, and by his other confidents, who earnestly intreated him to prevent his own destruction and that of his friends, by seizing the duke of Gloucester, with the earls of Arundel and Warwick, his chief accomplices (141). To this the king at length gave his consent. The duke of Gloucester was surprised at his castle of Pleshy in Essex, hurried on board a ship, and conveyed to Calais, as a place of the greatest security. The two earls were seized at the same time in London, and committed to prison (142).

Council at  
Notting-  
ham.

As soon as those great persons were in custody, a council was held at Nottingham, August 1, to consider in what manner they were to be prosecuted. At this council an appeal of treason was brought by six earls and two lords, against the duke of Gloucester, the earls of Arundel and Warwick, to which they were to answer at the next parliament, which was summoned to meet at Westminster, September 17.

Parliament.

Great preparations were made for this famous parliament, which was to determine the fate of a prince of the blood, and of some of the most powerful nobles of the kingdom. A wooden building, of great extent, was erected near Westminster-hall, for the reception of so numerous an assembly (143). Six hundred men at arms, and two hundred archers, were raised for a guard to the king: and all the lords came attended with such prodigious retinues, that they not only filled all the lodgings in London and its suburbs, but in all the towns and villages within ten or twelve miles around (144). In the second session, the clergy of both provinces appointed sir Thomas Percy their procurator in the intended trials, at which the canons of the church did not permit them to be present (145). In the same session, the commission of regency, in the tenth year of the king's reign, was declared to have been traiterously made; and all the pardons which had been granted to those who had acted under it were cancelled. Next day the commons impeached Thomas Arundel archbishop of Canterbury of treason; and the day after he was found guilty, and banished the

(141) Rymer, vol. 8, p. 6, 7.

(142) Walsing. p. 354.

Proffart, l. 4. c. 90.

(143) Stow's Chron. p. 315.

(144) Rymer. Fœd. tom. 8. p. 14.

(145) Walsing. p. 354.

Hollingshed, Chron. p. 490.

kingdom (146). In the next session, the lords appellants A.D. 1397. gave in their articles of accusation against the earl of Arundel, which consisted of the several things he had done in procuring and executing the above commission. After a very short trial, he was condemned, carried directly from the bar to Tower-hill, and there beheaded, September 21 (147). On the same day, a mandate was issued by the king and his council in parliament, to Thomas earl marshal, governor of Calais, to bring the duke of Gloucester to the bar of the house as soon as possible, to answer to the accusation that had been given in against him by the lords appellants (148). To this mandate the earl marshal returned this answer, September 24, "That he could not bring the said duke before the king and his council in that parliament; for that, being in his custody in the king's prison at Calais, he there died." The lords appellants and the house of commons then demanded, that the late duke of Gloucester should be declared to have been a traitor, and all his estates and honours forfeited; which was accordingly done (149). In the interval between the above mandate and the return, the earl of Warwick was tried and found guilty of treason; but the king spared his life, and consigned him to perpetual confinement in the isle of Man (150). The four great objects of the king's displeasure being thus disposed of, the commons interceded for favour to the other prelates and lords who had been named in that famous commission, for which the four already tried had been condemned (151).

The time, place, and other circumstances of the death of the duke of Gloucester, excited strong suspicions that he had been murdered; and these suspicions, it must be confessed, were highly probable. The king and his ministers, it was said, not daring to bring a prince so nearly related to the crown, and so exceedingly popular (particularly in London), to a public trial and execution, had employed assassins to murder him in prison: a policy equally weak and wicked, which justly brought much odium on the king and his confidential servants. The

Duke of  
Gloucester  
murdered.

(146) Walsing. p. 354.

(147) Id. *ibid.* p. 354, 355.

(148) Rymeri Fœd. t. 8. p. 15.  
vol. 1. p. 471.

(149) Parliament. Hist.

(150) Walsing. p. 355.

(151) Parliament. Hist. vol. 1. p. 478.

A. D. 1397. precise time and manner of Gloucester's death were never certainly known, and are differently related by different authors (152).

The king was so well pleased with this session of parliament, which had been perfectly subservient to his will, that on the last day of it (September 29), he advanced the earls of Derby, Rutland, Kent, Huntington, and Nottingham, to be dukes of Hereford, Albemarle, Surry, Exeter, and Norfolk; the earl of Somerset to be marquis of Dorset; the lords Despenfer, Nevile, Percy, and Scrope, to be earls of Gloucester, Westmoreland, Worcester, and Wiltshire; and then adjourned the parliament to the 27th January, to be then held at Shrewsbury (153).

A. D. 1398.  
Parliament  
at Shrews-  
bury.

When the parliament met at Shrewsbury, proceeding in the same tract of submission to the royal pleasure, it reversed all the acts of that famous parliament, A. D. 1388, in which the duke of Gloucester's party had predominated, and had executed vengeance on all their opposers. The answers of the judges, for which they had been condemned as traitors, were now declared to be the answers of good and loyal subjects (154). Several persons who had been of the duke of Gloucester's party were condemned and forfeited; but their lives were spared. The house of commons granted very liberal supplies; and still further to manifest their affection to the king, they petitioned the house of lords to contrive some method to secure the transactions of that parliament from such changes as had happened to those of former parliaments. After deliberating among themselves, and consulting with the judges, all the lords, spiritual and temporal, took a solemn oath, on the cross of Canterbury, never to suffer any of the transactions of that parliament to be changed; while all the members of the house of commons held up their hands, to signify their taking the same oath. The king, to crown the whole, procured a bull from the pope, to confirm all the acts of that parliament, which he caused to be publicly read in all the chief cities of the kingdom (155). But it soon appeared, that these were feeble securities against the torrent of faction,

(152) Froissart, t. 4. c. 90. p. 292. Walsing. p. 312.

(153) Parliament Hist. vol. 1. p. 470.

(154) Russell's Statutes, vol. 1. p. 419, 420. (155) Walsing. p. 306.



which in those times ran, sometimes on one side and sometimes on another, with such violence, that it levelled every mound, and overwhelmed all that stood in its way. A.D. 1398.

In the time of this parliament, a quarrel broke out between the dukes of Hereford and Norfolk, which was attended with the most important and unexpected consequences. On the last day of January, and of the parliament, the duke of Hereford presented a schedule to the king, which he said contained an account of certain slanderous words which the duke of Norfolk had spoken to him of his Majesty (156). This schedule being read, the lords and commons referred the determination of that affair to the king, and a committee of twelve lords and six commoners, which the two houses had that day chosen, and invested with parliamentary powers (157).

After this famous parliament was dissolved, the king held several deliberations with the parliamentary commissioners, on the dispute between the dukes of Hereford and Norfolk. At length, when the one continued to deny what the other affirmed, it was resolved, that this controversy should be determined by the laws of chivalry, in a single combat between the contending parties; and that this combat should be fought at Coventry, September 16, before the king and the committee of parliament. But when the two noble combatants had entered the lists, and were ready to engage, the king interposed, and by the advice of the parliamentary commissioners, pronounced the following sentence: "That the duke of Hereford should be banished the kingdom for ten years, to depart on or before the 13th of October next;—that the duke of Norfolk should void the realm for term of life, and that he should be out of the kingdom by the 20th of October next (158)." Both the dukes, before their departure, obtained letters-patent from the king, with consent of the committee of parliament, empowering them to constitute certain persons their attorneys, for receiving in their name any inheritance that might fall to them during their exile (159). This transaction, sufficiently mysterious in itself, is strangely misre-

(156) Parliament. Hist. vol. 1. p. 490.

(157) Id. ibid.

(158) Walling. p. 356. Parliament Hist. vol. 1. p. 494.

(159) Rymeri Fœd. t. 8. p. 49. 54.

**A. D. 1398.** presented by sir John Froissart, a contemporary historian, with a view to exculpate the duke of Hereford (afterwards Henry IV.) and to blacken the characters of the king and of the duke of Norfolk (160).

**Discontents  
against the  
Govern-  
ment.**

The king, at the conclusion of the great parliament (as it was called), had granted a general indemnity to all his subjects, for all treasons, &c. of which they had been guilty; but none were to enjoy the benefit of this indemnity, who did not take out charters of pardon before St. John's day A. D. 1398 (161). Many having neglected to do this, the courtiers, and particularly the parliamentary commissioners, extorted great sums of money from them; which occasioned much discontent with the king and his confidants (162). These discontents were very much increased by the complaints of the families and friends of the late duke of Gloucester, and of the two banished dukes of Hereford and Norfolk; and the arbitrary proceedings of the committee of parliament, who made laws, and acted in all things as if they had been a full parliament, still further inflamed the minds of the people (163).

**A. D. 1399.  
Death of  
the duke of  
Lancaster.**

When the nation was in this ferment, the famous John of Gaunt duke of Lancaster died, February 3, A. D. 1399 (164). By this event, a prodigious accession of wealth and power fell to his only son Henry of Bolingbroke, the banished duke of Hereford, to the peaceable possession of which he ought to have been admitted by his attorney, according to the tenor of his letters-patent (165). But the king and committee of parliament, contrary to the plainest dictates of equity and prudence, on March 18, declared these letters null and void, and seized all the great estates of the late duke of Lancaster. This flagrant act of tyranny and oppression excited universal indignation against the authors of it, and compassion for Henry now duke of Lancaster.

**Expedition  
into Ire-  
land.**

The infatuated Richard, after he had excited such general discontent among his subjects, was so imprudent as

(160) Froissart, t. 4. c. 92. p. 296.

(161) Parliament. Hist. p. 487.

(162) T. Otterbourne, Chron. p. 199.

(163) Ruffhead's Statutes, vol. 1. p. 422, &c.

(164) T. Otterbourne, p. 197.

(165) Rymer. Fœd. t. 8. p. 19. Walsing. p. 357.

to leave England, and to carry with him all the great men on whose attachment he could depend (166). Having collected great sums of money, by means which still further increased the disaffection of his people, and constituted his uncle the duke of York regent of the kingdom, he sailed from Milford-haven about the end of May, and soon after landed in Ireland with a powerful army (167). The design of this most unseasonable expedition was, to revenge the death of Roger Mortimer earl of March, the presumptive heir of his crown, and to reduce that kingdom to a more perfect subjection. But he was not allowed time to make any great progress in the execution of that design.

Henry of Bolingbroke was at the court of France when he received intelligence of his father's death, and of the revocation of his letters-patent; and he soon after received invitations from his numerous and powerful friends in England, to come over and vindicate his rights to the estate of Lancaster (168). Encouraged by these invitations, and the news of Richard's expedition into Ireland, he resolved to return into England; and having obtained a few ships, and a small number of armed men, from the duke of Brittany, he put to sea, with the exiled archbishop of Canterbury and the young earl of Arundel in his company (169). After hovering some days on the coast, he landed at Ravenspore, in Yorkshire, July 4; and was joined by the powerful earls of Northumberland and Westmoreland, with the other barons of the north, and their followers (170). Seeing himself at the head of a great army, he marched southward, giving out, that he was come only to recover his inheritance of Lancaster; which brought such multitudes to his standard, that they soon amounted to sixty thousand men.

The duke of York, regent of the kingdom, raised a considerable army, with which he marched towards Bristol, about which place it was expected the king would land from Ireland. By this means the armies approaching each other, a conference was held at Berkeley, on Sunday July 27, between the dukes of York and Lancaster,

Duke of  
Lancaster  
lands in  
England.

Agreement  
between the  
dukes of  
York and  
Lancaster.

(166) Walsing. p. 557.

Rymeri Fœd. t. 8. p. 82.

(169) Froissart, tom. 4. ch. 106.

(170) Id. ibid.

(167) T. Otterbourne, Chron. p. 200.

(168) Froissart, tom. 4. ch. 105.

Walsing. p. 358.

A. D. 1399. and a certain number of their friends. At this conference, the duke of Lancaster still pretending that he came only for the recovery of his inheritance, an agreement was soon made, and he was joined by the duke of York and the greatest part of his forces (171).

**Castle of Bristol sur-  
rendered.** The duke of Lancaster then marched at the head of the united armies, and invested the castle of Bristol, in which some of the most obnoxious of the king's confidants had taken shelter. Sir Peter Courtney governor of the castle, after some hesitation, agreed to surrender, at the command of the duke of York, as regent of the kingdom, having stipulated for the liberty of all the garrison, except the earl of Wiltshire, sir John Busby, and sir Henry Grene, the hated ministers. These three unhappy persons being delivered to the duke of Lancaster, were immediately beheaded at his command, without any trial (172).

**King  
Richard  
imprisoned.** About the beginning of August, king Richard landed at Milford-haven with his troops from Ireland, intending to join the duke of York, whom he believed to be at the head of an army, raised in his name, to support his authority. But when he received intelligence that the regent and his forces had united with the duke of Lancaster, he disbanded his small army, and retired with a few faithful friends to Conway. Here it was debated in his little council, whether he should leave the kingdom, and take shelter in his French dominions, or open a negotiation with the duke of Lancaster, who had not yet declared his designs upon the crown. The last and most imprudent of these measures was adopted, and the duke of Exeter sent to propose the treaty; but was detained by the duke of Lancaster, who dispatched the earl of Northumberland to Conway with very moderate demands, which were readily granted. The earl then invited Richard to a personal conference with the duke of Lancaster, in Flint castle, to finish the negotiation; to which the king agreed, and immediately set out from Conway August 19, accompanied by his few remaining friends. But on the road they were surrounded by a body of armed men, and conducted to the castle of Flint as prisoners. Next day the duke of Lancaster, after a short conference (in

(171) T. Otterbourne, p. 205.

(172) *Ibid.*

which



which he said he was come to assist his cousin in the go- A.D. 1399.  
 vernment of the kingdom), conducted the king to his  
 head-quarters at Chester; and from thence, by easy  
 journies, to the tower of London, where he was lodged  
 on Tuesday September 2 (173).

The duke of Lancaster, having the king in his power, King  
Richard's  
resignation.  
 no longer confined his pretensions to the estate of Lan-  
 caster, but publicly aspired to the crown; and employed  
 all his art to obtain it in a manner that had a plausible  
 appearance. When the plan was formed, it was pro-  
 posed in council by the duke of York to this purpose—  
 That the king should be made to subscribe a resignation  
 of his crown; and that he should also be deposed by par-  
 liament, for certain crimes, that it might appear he was  
 willing to give up his crown, and that the nation thought  
 him unworthy of possessing it (174). To carry this plan  
 into execution, a parliament was summoned in king Rich-  
 ard's name, to meet at Westminster September 30. On  
 the day before the meeting of parliament, king Rich-  
 ard, in his chamber in the tower, before the duke of  
 Lancaster, with the prelates and lords of his party, sub-  
 scribed the instrument of his resignation, conceived in  
 as clear and strong terms as could be devised (175). When  
 the parliament met, this instrument was produced and  
 read; and the members being asked, if they accepted of  
 this resignation, answered in the affirmative (176).

It was then proposed, in order to remove all scruples Articles  
against king  
Richard.  
 and doubts, that certain articles, containing the crimes  
 and errors of which king Richard had been guilty, and for  
 which he deserved to be deposed, should be read; which  
 was accordingly done. To these articles (which were  
 thirty-five in number) was prefixed king Richard's corona-  
 tion oath; and the design of the several articles was to  
 prove, that by such and such acts of government he had  
 violated that oath. These articles being too long to be  
 here inserted, it is sufficient to say, that some of them  
 were false, some of them trifling, many of them exagge-

(173) T. Walsing. p. 338. T. Otterbourne, p. 208. Froissart. tom.  
 4. ch. 110. Life of Richard by a person of Quality, p. 190. Carte,  
 vol. 2. p. 634, 635.

(174) Life of Richard II. p. 191.

(175) Life of Richard II. p. 195. Otterbourne, p. 212.

(176) T. Walsing. p. 359.

A. D. 1399. rated, and a few of them but too well founded: for it cannot be denied, that Richard had been guilty of many imprudent, and of some illegal actions (177).

King  
Richard  
deposed.

Though many lords and prelates in this parliament, had been loaded with benefits by king Richard, none of them had the courage or gratitude to speak a word in his defence on this occasion, except Thomas Merks, bishop of Carlisle (178). That learned and undaunted prelate, in a long and eloquent speech, exposed the iniquity and danger of the present proceedings, and vindicated the character of his unhappy sovereign in many particulars, imputing the errors into which he had fallen rather to his want of experience, or to evil counsel, than to malice (179). The only answer given to this speech was, an order to the earl marshal, from the duke of Lancaster, to take the bishop into custody, and send him prisoner to the abbey of St. Alban's: a more unconstitutional and arbitrary deed than any king Richard had ever done! After this there was an end to all debate. All the articles were sustained as true; king Richard was solemnly deposed; and a committee appointed to intimate that sentence to the degraded monarch (180).

Accession of  
Henry IV.

The throne of England being thus declared empty, Henry duke of Lancaster (though he was not the nearest heir to the last possessor) arose from his seat, and (having, with great appearance of devotion, invoked the name of Christ, and crossed himself on the breast and forehead) claimed the crown in the following remarkable words—" *In the name of Father, Son, and Holy Ghost, I Henry of Lancaster, challenge this rewme of Ynglonde, and the crowne, with all the members, and the appurtenances, als I that am descendit be ryght lyne of the blode, cumyng fra the gude lorde king Henry Thirde, and throghe that rygt that God of his grace hath sent me, with helpe of my kyn, and of my frendes to recover it; the whiche rewme was in poynt to be ondone for default of governance, and undoying of the gude lawes* (181)." This very artful and ambiguous speech, which hinted at the two dis-

(177) Knyghton, col. 2746—2756.

(178) Sir John Froissart relates, that the king's favourite dog, named *Math*, forsook his master as soon as he saw him taken prisoner, and fawned upon the Duke of Lancaster. *Froissart*, tom. 4. ch. 110.

(179) Hayward's Life of Henry IV. p. 151.

(180) Walsing. p. 359. Otterbourne, p. 218.

(181) Knyghton, col. 2757.

ferent titles of descent and conquest, was received with A. D. 1399<sup>s</sup>  
 great applause; and the duke's claim, though all the world knew it to be ill-founded, was unanimously declared by parliament to be just. Upon this, the archbishop of Canterbury took Henry by the right hand, and conducted him towards the empty throne; and, with the assistance of the archbishop of York, placed him in it, amidst the loud acclamations of the whole assembly. As soon as silence could be procured, the primate preached a very indifferent sermon (if the historian hath not wronged him) from Samuel, ix. 17. "Behold the man whom I spake unto thee of: this same shall reign over my people." Sermon being ended, the new king apprehending that the hint of conquest in his former speech might give some offence, stood up, and made the following declaration: "*Sires, I thank God, and zowe, spirituel and temporel, and all the estates of the lond, and do zowe to wyle, it es noght my will that no man thynk that be waye of conquest I wold disberit any man of his heritage, franchises, or other ryghts than hym aght to have, no put him out of that that he has, and has had by the gude lawes and custumes of the rewme: except those persons that has ben agan the gude purpose, and the commune profyt of the rewme* (182)." Thus ended the important business of this memorable day (September 30, A. D. 1399), in which one king was pulled down, and another exalted to the throne of England. The fatal consequences of this revolution will appear in the first chapter of the fifth book of this work.

Though the fate of the dethroned king doth not fall within the limits of our present period, it followed so soon after it, and is so intimately connected with it, that it can be no great impropriety to introduce it here, together with a very short character of that unhappy prince. Richard did not long survive his deposition, though the exact time and manner of his death are not certainly known (183). The most probable account is, that he was starved to death in the castle of Pontefract in Yorkshire, about the beginning of the year 1400 (184).

Death of  
Richard II.

(182) Knyghton, col. 2758, 2759. (183) Froissart, t. 4. c. 119.

(184) Otterbourne, p. 229. Vita Richard. II. p. 169. Anglia Sacra, tom. 2. p. 365.

A. D. 1399.

Richard of Bourdeaux (so called from the place of his birth) was remarkably beautiful and handsome in his person, and doth not seem to have been naturally defective either in courage or understanding: for on some occasions, particularly in the dangerous insurrection of the commons, he acted with a degree of spirit and prudence superior to his years. But his education was miserably neglected, or rather he was intentionally corrupted and debauched by his three ambitious uncles, who, being desirous of retaining the management of all affairs, encouraged him to spend his time in the company of dissolute young people of both sexes, in a continued course of feasting and dissipation. By this means he contracted a taste for pomp and pleasure, and a dislike to business. The greatest foible in the character of this unhappy prince, was an excessive fondness for, and unbounded liberality to his favourites, which enraged his uncles, particularly the duke of Gloucester, and disgusted such of the nobility as did not partake of his bounty. He was an affectionate husband, a generous master, and a faithful friend; and, if he had received a proper education, might have proved a great and good king. Richard was dethroned in the 23d year of his reign, and the 34th of his age, and never had any children. If any regard had been paid to the constitution or the rights of blood, he would have been succeeded by Edmund Mortimer earl of March, descended from Lionel duke of Clarence, third son of Edward III. and elder brother of John of Gaunt duke of Lancaster. But in the tumult of faction which attended this revolution, that young nobleman's name and rights were hardly ever mentioned, though his father, Roger Mortimer earl of March, had been declared presumptive heir of the crown, by act of parliament, A. D. 1385 (185).

History of  
Scotland.

DAVID II. king of Scotland, the son and successor of the heroic Robert Bruce, died A. D. 1371; and was succeeded by his nephew Robert Stewart (186). During the first years of this prince's reign, the borderers of both the British kingdoms made frequent incursions into each others countries (187). To put a stop to these predatory

(185) Parliament. Hist. vol. 1. p. 387—388.

(186) Fordun, t. 2. p. 380, &amp;c. in not.

(187) Buchan. Hist. l. 9. p. 168, &amp;c.



expeditions, which were very destructive, several meetings were held between commissioners appointed by both kings, who made short truces, which were ill observed (188). John of Gaunt, king of Castile and duke of Lancaster, being at Berwick, A. D. 1381, negotiating one of these truces, when the great insurrection of the commons (to whom he was obnoxious) broke out, he retired into Scotland, and was very hospitably entertained at Holyroodhouse, till the insurgents were dispersed (189). As soon as the three years truce which had been made at Berwick was expired, the war was renewed, and mutual invasions took place. Two of the invasions of Scotland by the English were very formidable; being made with powerful fleets, as well as great armies, they seemed to aim at conquest. The first of these invasions, A. D. 1384, was conducted by the duke of Lancaster, and the second, A. D. 1385, by Richard II. in person. But they both terminated, as many others had done, in the devastation of the country near the border; and these devastations were retaliated by the Scots, assisted by some French auxiliaries (190). In one of these incursions of the Scots into England, the famous battle of Otterburn was fought, A. D. 1388, with great valour on both sides, in which Henry lord Percy, who commanded the English, was taken, and James earl of Douglas who commanded the Scots was killed (191).

Robert II. finding himself unfit for the management of affairs, through age and bodily infirmities, constituted his second son, Robert earl of Fife, governor of the kingdom, in a parliament held at Edinburgh, A. D. 1389 (192). The governor, immediately after his elevation to that dignity, raised an army and made an incursion into England; but the English avoiding an engagement, he plundered some part of the open country, and then returned home. About the same time ambassadors came to the court of Scotland, from the kings of France and England, to notify a truce for three years, which had been lately concluded between these two princes, and such of their allies as acceded to it. The ambassadors applying to the governor, he referred them to the king

A. D. 1371.

Death, &c.  
of Robert  
II.

(188) Rymeri Fœd. t. 7. p. 175. 183. 206. 245. 279.

(189) Id. ibid. p. 312. Buchan. p. 169.

(190) Walsing p. 316, 317. Fordun, t. 2. p. 401.

(191) Id. ibid. p. 406—414. (192) Id. ibid.

**A. D. 1388.** his father, who acceded to the truce, which gave a check to the mutual depredations of the borderers for some time (193). The king died 17th April A. D. 1390, in the twentieth year of his reign, and the seventy-fourth of his age. He was remarkably tall, of a cheerful and pleasant countenance, and great affability of manners; but being of a mild pacific spirit, he had but little authority over some of his turbulent barons, who raised armies, and engaged in wars, without so much as asking his consent (194).

Marriages  
of Robert  
II.

Robert the II. when he was very young, married Elizabeth More, daughter of sir Adam More, with whom he was within the prohibited degrees of consanguinity or affinity, and on that account their marriage was for some time esteemed unlawful, because it had been celebrated without a papal dispensation. But that dispensation was obtained A. D. 1349, by which the legality of the marriage was completed (195). By this lady, who died long before his accession, he had three sons, John earl of Carrick, Robert earl of Fife, and Alexander earl of Buchan. After the death of Elizabeth, he married the lady Euphemia, daughter of Hugh earl of Ross, by whom he had two sons, Walter earl of Athol, and David earl of Strathern. The mistakes of many of our historians concerning the marriages of this prince, are fully detected in the dissertation quoted below, and the legitimacy of his five sons clearly established (196).

Robert III.

Robert II. was succeeded by his eldest son John, who was crowned at Stone, August 13, and immediately after, by the advice of his parliament, assumed the name of Robert III (197). This prince, before his coronation, took a solemn oath to observe the truce with England; and that truce being afterwards prolonged for several years, secured his kingdom from foreign enemies (198). But its internal tranquillity was very much disturbed by violent quarrels and deadly feuds between different clans and families. One of these feuds between two of the highland clans, which had been very bloody,

(193) Rymeri Ford. t. 7. p. 675.

(194) Fordun, t. 2. p. 383.

(195) Id. ibid. l. 11. c. 13. p. 150.

(196) See *De nuptiis Roberti Senescalli Scotiae atque Elizabethae More dissertation*, printed at the end of the second volume of the Edinburgh edition of Fordun.

(197) Fordun, t. 2. p. 418.

(198) Rymeri Ford. t. 7. p. 683. 725.

and threatened the extirpation of them both, was determined by a solemn judicial combat between thirty of each clan, before the king and court, and a prodigious multitude of spectators, in a beautiful plain on the banks of the river Tay, near Perth, A. D. 1396. This combat, with swords only, without any defensive armour, was fought with such unrelenting fury, that nineteen on the one side were killed, and the remaining eleven dangerously wounded, while only one on the other side survived, but unhurt (199). In a parliament held at Scone, April 28, A. D. 1398, the king created his eldest son David, duke of Rothsay, and his brother Robert earl of Fife, who had still the chief direction of all affairs, duke of Albany, which were the two first dukes in Scotland (200). The truce between England and Scotland being terminated by the deposition of Richard II. hostilities between the two kingdoms were renewed soon after the accession of Henry IV. But as the time of these hostilities, and of the other events of the reign of Robert III. is without the limits of our present period, the history of them will be more properly introduced in the first chapter of the fifth book of this work.

(199) Fordun, tom. 2. p. 420. Buchan. l. 10. c. 1.

(200) Fordun, tom. 2. p. 444.

## C H A P. II.

History of Religion in Great Britain, from the death of king John, A. D. 1216, to the accession of Henry IV, A. D. 1399.

## S E C T I O N I.

*History of Religion, from A. D. 1216 to A. D. 1300.*

Cent. XIII.

Changes  
produced  
by king  
John's sub-  
jection to  
Rome.

AS the subjection of the kingdom of England to the see of Rome by king John, was a very surprising event, it was attended with very strange effects. In particular, it produced an instantaneous and total change in the language and conduct of all parties concerned. The pope, who had poured out upon king John the heaviest curses, as the worst of men, and the greatest enemy of God, now loaded him with blessings, as the best of princes, and the greatest favourite of heaven. King John, who had maintained a passionate opposition to the ambitious pretences of the pope, and threatened to pull down his power, now became the warmest advocate for those pretences, and took shelter behind the papal chair. The English barons, who had affected to revere the dictates of the pope as the commands of God, and to dread his fulminations as the artillery of heaven, when they were pointed against king John, treated them both with the most sovereign contempt, when they were turned against themselves. Such is the shameless versatility of unprincipled politicians!

The pope  
friendly to  
Henry III.

As the pope had been the zealous friend of king John in the last years of his reign, he warmly espoused the cause of his infant son Henry III. against his competitor prince Lewis. Henry, at his coronation, having sworn fealty to the pope as his superior lord, Gualo, the papal legate, renewed the sentence of excommunication against prince



prince Lewis, and all his adherents (1). After the peace Cent. XIII.  
 was concluded between Henry and Lewis, and this last prince had left the kingdom, the clergy and barons of his party were treated with great severity by the pope, and constrained to pay great sums of money, for having dared to despise the thunders of the church of Rome (2).

Cardinal Langton held a synod at Oxford A. D. 1222, Synod of Oxford.  
 in which fifty canons were made, which contain little new or remarkable. By the twenty-eighth canon, clergymen are prohibited to keep concubines publicly in their own houses, or to go to them in other places so openly as to occasion scandal (3).

The court of Rome, whose thirst for money was quite Papal project.  
 insatiable, formed a project about this time, which would have brought a prodigious mass of money into the papal coffers, if it had been accomplished. By this project, the revenues of two prebendaries in every cathedral, and of two monks in every monastery, in all the countries in communion with the church of Rome, were to have been granted to the pope, for the better support of his dignity. When this project was laid before the parliament of England, A. D. 1226, this cold evasive answer was returned to the papal legate: "That this affair concerned all Christendom; and they would conform to the resolutions of other Christian countries (4)."

The death of cardinal Langton on the 9th of July Richard archbishop.  
 A. D. 1228, occasioned fresh disputes. The manner of filling up the highest dignity in the church of England, was in those times so unsettled, that every vacancy endangered the peace of the kingdom. The monks of Canterbury on this occasion made a hasty election of Walter de Hemesham, one of their own number; with whom both the king and the bishops of the province being dissatisfied, all parties, as usual, appealed to Rome (5). His holiness was in no haste to determine this cause, which he affected to think very doubtful and difficult, till the king, by his commissioners, made him a promise of a tenth of all the moveables, both of the clergy and laity of England. This made the case so clear, that

(1) M. Paris, p. 292. Annal. Waverlien. ad an. 1216. Wilkin. Concil. t. 1. p. 546.

(2) M. Paris, p. 299.

(3) Wilkin. Concil. t. 1. p. 590.

(4) *Ibid.* p. 620.

(5) M. Paris, p. 350.

**Cent. XIII.** he immediately declared Hemesham's election void; and to prevent all further contests, by the plenitude of his own power he appointed Richard Le Grand chancellor of Lincoln, to be archbishop (6).

**A papal legate collects money.** 'The pope, who was blessed with an infallible remembrance of the promises of the faithful, sent a legate into England to collect the tenths which the king had promised. This demand met with great opposition in the English parliament, especially from the lay barons. But at length, by the united weight of the papal and regal power, all were obliged to submit; and this heavy tax was collected with great exactness. The legate, to shorten his own work, obliged the bishops to pay the tax for their inferior clergy; and when any of them complained they had not money, he presented to them certain Italian usurers, which he had brought with him, who lent them money at an exorbitant interest (7). Thus cruelly were our ancestors oppressed and fleeced by the venal and insatiable court of Rome!

**Edmund archbishop.** This archbishop, whose election had cost the nation so dear, did not enjoy his dignity much above two years; but dying August 3, 1231, made way for new disturbances. The monks made four successive elections, which were all voided by the pope, because the persons elected were not thought to be sufficiently attached to the interests of the court of Rome. At length, after two years vacancy, the pope recommended Edmund Rich treasurer of Salisbury; who was chosen and consecrated (8).

**The Italian clergy insulted.** The pope had not only invaded the rights of the crown in filling the higher stations in the church, but had made equal encroachments on the rights of private patrons, and had got into his hands, by one means or other, the disposal of all the valuable livings in the kingdom, which he generally bestowed upon Italians. This abuse became so insupportable, that in the year 1232 a great number of persons of considerable rank formed an association to drive all these foreign ecclesiastics out of the kingdom (9). These associates insulted the persons, and plundered the houses, of the Italian clergy: a thing so agree-

(6) T. Warton, p. 41.

(7) Id. p. 275.

(7) M. Paris, p. 364.

(9) Id. p. 275.

able to the whole nation, that they met with no opposition. Cont. XIII.

Cardinal Otho, one of those birds of ill omen, a legate from the pope, arrived in England A. D. 1237, where he continued about three years, receiving many valuable presents from the bishops, monasteries, and clergy. During this time, three hundred Italians were sent into England, to be provided for in the church. This legate held a council at London, 1237; in which a great number of canons were framed, which were called *the Constitutions of Otho* (10). These constitutions do not contain many things new or remarkable. By the second canon, the sacraments are declared to be seven in number. The fifteenth is against the clandestine marriages of the clergy, and the sixteenth against their keeping concubines publicly; both which practices were still very frequent in England. This legate convened two other assemblies of the clergy, with no other view but to make exorbitant demands of money (11). Constitutions of Otho.

Edmund archbishop of Canterbury was so much chagrined at these grievous and incessant exactions of the court of Rome, which he could not prevent, that he left the kingdom, and retired to the monastery of Pontigniac in France, where he died, A. D. 1240 (12). Henry, by persuasions, promises, threats, and other means still more violent and unlawful, prevailed with the monks to chuse Boniface, the queen's uncle, to be archbishop, though he was not very well qualified for that office. The pope, by certain arguments which never failed of success at Rome, was prevailed upon to confirm the election (13). Archbishop Boniface.

During the primacy of this prelate, several nuncios and legates arrived in England, improving upon one another in the arts of pillaging this unhappy kingdom. The patience of the English was at last tired out; and the great barons, knowing that there was no other way to save the nation from being plundered, but by preventing the approach of these Romish harpies, sent orders, A. D. 1245, to the wardens of the sea-ports, to seize all persons bringing any bulls or mandates from Rome. It was not Opposition of the English to the exactions of Rome.

(10) Spel. Con. tom. 2. p. 218. Wilkin. Concil. t. 1. p. 619.

(11) M. Paris, p. 448-449. (12) Id. p. 532. (13) Id. p. 525.

Cent. XIII. long before a messenger was apprehended with a fresh cargo of bulls, directed to Martin the legate in England, empowering him to exact more money from the clergy on various pretences. The bulls being seized, the legate complained bitterly to the king of this daring insult; who commanded the bulls to be restored. The barons, in order to open the eyes of this deluded monarch, who assisted a foreign court in plundering his own subjects, laid before him an account of the incredible sums which went from England to Rome. Among other articles, it appeared that the church-preferments possessed by Italians in England amounted to sixty thousand marks *per annum*: a greater sum than the ordinary revenues of the crown. Though Henry was much surprised at this account, he had not virtue and spirit to join with his people in putting a stop to those grievances. The barons, determining to go through with the work which they had begun, held another meeting at Dunstable, under pretence of a tournament. From this meeting they sent a bold knight, to command the legate, in the name of the barons of England, immediately to leave the kingdom. The knight executed his commission with spirit, assuring Mr. Martin, that if he remained three days longer in England, he would infallibly be cut in pieces. The legate perceiving that it was no longer in the king's power to protect him from the fury of an injured nation, departed with all possible speed (14).

Applica-  
tion to the  
council of  
Lyons.

The barons not contented with what they had done, resolved if possible to prevent the return of those oppressions which the kingdom had long suffered from the see of Rome. With this view, they sent very honourable ambassadors to lay the grievances of the church and kingdom of England before a general council, which was then sitting at Lyons, in which the pope presided in person. The letter which these ambassadors presented to the council from the barons of England, breathes a spirit of independency and good sense hardly to be expected in that age. After a very full and free enumeration of the oppressions of the court of Rome, it concludes with these bold and resolute expressions: "We can no longer, with  
" any patience, bear the foresaid oppressions; which, as



“ they are detestable to God and man, are intolerable to Cent. XIII.  
 “ us; neither, by the grace of God, will we any longer  
 “ endure them (15).” William Powerie, one of the  
 ambassador who presented this letter, made a spirited  
 harangue to the council, in which he set forth the innu-  
 merable frauds and insatiable avarice of the court of  
 Rome in such strong colours, that his holiness was covered  
 with shame, and a blush was seen on the face of infalli-  
 bility. But this blush was all the satisfaction the English  
 nation obtained from the pope and council, who put off  
 the consideration of this affair so long, that the ambaf-  
 sadors, seeing no prospect of redress, returned home in  
 discontent (16).

The unnatural fit of modesty with which his holiness Further  
 had been seized at the council of Lyons was not of long exactions of  
 duration: for the very year after, we find his agents in the court of  
 England as violent as ever in their extortions: which Rome.  
 occasioned fresh remonstrances, not only from the barons,  
 but even from the king and clergy. The letters to the  
 pope, from the king and clergy, were humble and timid;  
 but those from the barons were more bold, threatening,  
 that if his holiness did not immediately redress their  
 grievances, they would do themselves justice (17). But  
 all these letters were treated with scorn by the haughty  
 pontiff, who became daily more imperious and tyrannical.  
 He obliged the English prelate to subscribe the sentence of  
 excommunication against the emperor Frederick II. and  
 to furnish a certain number of armed men to fight against  
 that prince, though he was brother-in-law to their own  
 king (18). Not contented with all this, the court of  
 Rome, in the same year 1246, demanded at once the  
 half of all the revenues of the non-residing clergy, and  
 the third of the revenues of those who resided. This demand  
 being so great, rendered the clergy unanimous in their  
 opposition, in which they were supported by the king and  
 barons. His holiness, finding he had gone a little too  
 far, very prudently desisted (19).

While the pope was thus trampling upon the church Courage of  
 and kingdom of England, a private prelate had the the bishop  
 courage to oppose him; and, which is more wonderful, to of Lincoln.  
 oppose him with success. This ecclesiastical hero was

(15) M. Paris, p. 666.

(16) Id. p. 681.

(17) Id. p. 699, &amp;c.

(18) Id. p. 701.

(19) M. Paris, p. 708.

Cent. XIII. Robert Grosted bishop of Lincoln, a person of uncommon learning for the age in which he lived; and of such unfeigned piety, untainted probity, and undaunted courage, as would have rendered him an ornament to any age. When this bishop received bulls from Rome, he examined them with great attention; and if he found that they commanded any thing contrary to the precepts of the gospel, and the interests of religion (which was very often the case), he tore them in pieces, instead of putting them in execution. Innocent IV. one of the most imperious pontiffs that ever filled the papal chair, sent this bishop a bull, which contained in it the scandalous clause of *Non obstante*, so much and so justly exclaimed against in that age; and besides, commanded him to bestow a considerable living in his gift upon the pope's nephew, who was an infant. The bishop was so far from complying with this bull, that he sent the pope a letter in which he exposed the injustice and impiety of it, with the greatest freedom and severity. With regard to the clause of *Non obstante*, lately introduced into the papal bulls, the good bishop used these expressions in his letter: "That it brings in a deluge of mischief upon Christendom, and gives occasion to a great deal of inconstancy and breach of faith; it even shakes the very foundations of truth and security amongst mankind, and makes language and letters almost insignificant." With respect to that part of the bull which required him to bestow a benefice upon an infant, he says,—“Next to the sins of Lucifer and Antichrist, there cannot be a greater defection, or which carries a more direct opposition to the doctrine of our Saviour and his apostles, than to destroy people's souls, by depriving them of the benefits of the pastoral office; and yet those persons are guilty of this sin, who undertake the sacerdotal function, and receive the profits without discharging the duty. From hence it is evident, that those who bring such unqualified persons into the church, and debauch the hierarchy, are much to blame; and that their crimes rise in proportion to the height of their station (20).” These were strains of truth and freedom to which his holiness had not been accustomed. He fell into a furious passion, and swore by St. Peter and St. Paul, that he would utterly

confound that old, impertinent, deaf, doting fellow, and make him a talk, and astonishment, and example to all the world. "What!" said he, "is not the king of England, his master, our vassal, or rather our slave? and will he not, at the least sign of ours, cast him into prison?" When his holiness had a little spent his rage, the cardinals represented to him, "That the world began to discover many things contained in the bishop's letter; and that if he persecuted a prelate so renowned for piety, learning, and holiness of life, it might create the court of Rome a great many enemies." They advised him therefore to let the matter pass, and make as if he had never seen this provoking letter (21). What honour is due to the memory of the noble Grosted, who made so bold a stand against the tyranny of the court of Rome, in an age when it trampled upon kings and emperors!

Cent. XIII.

Beniface archbishop of Canterbury was of a very different spirit, and screwed up the power of the church to the greatest height. This appears from the canons of the provincial synod held at Merton in Surrey, A. D. 1368, by this prelate. The first canon forbids archbishops, bishops, and inferior clergy, to appear before civil courts to answer for any part of their conduct which had the most remote relation to church affairs; and threatens the judges, and even the king himself, with the highest censures of the church, if they insult on such appearance. The second relates to patronages; and the third is against the intrusion of clerks into benefices by a lay power. The fourth makes such regulations concerning excommunication as rendered that sentence truly terrible. The fifth forbids laymen to imprison clergymen. In the sixth the church claims a right of judging concerning contracts between a clergyman and a layman. The seventh asserts the right of the church to judge and punish Jews. The eighth provides for the perfect security of those criminals who had taken sanctuary in churches. The ninth, tenth, and eleventh, are designed to prevent all invasions of every kind on the possessions of the church and clergy, which are declared sacred and inviolable. And the two last provide for the church's peaceable enjoyment of all pious le-

Synod of Merton.

(21) Du Pin's Ch. Hist. vol. 11. p. 62. M. Paris, p. 870, &c.

**Cent. XIII.** gacies and donations (22). In a word, the visible tendency of all those canons was, to emancipate the church and clergy from civil authority, and at the same time to wreath the yoke of ecclesiastical tyranny still faster about the necks of the laity. It is no wonder, therefore, that the laity were alarmed at these proceedings. The barons wrote a letter to the pope, complaining of those stretches of church-power, and of the ignorance and immoralities of the clergy, and threatening to withdraw those ample revenues which had been bestowed upon the church by the piety of their ancestors, since they were so much abused. But they applied to a very wrong quarter for redress: his holiness answered coldly, that he did not suppose the clergy of England were more ignorant or immoral than they had been in former ages; and that it was utterly impossible to withdraw any part of the revenues of the church; for whatever was once dedicated to the service of God was irrevocable (23).

**Synod of  
Lambeth.**

The archbishop, secure of the protection of the Holy See, was so far from retracting any thing he had done, that he held another provincial synod A. D. 1261, at Lambeth; in which the constitutions of Merton were confirmed and enlarged. The second of these additional canons complains bitterly of the secular powers, for sometimes preventing prelates from inflicting pecuniary and corporal punishments on delinquents; and denounces the heaviest censures on those disturbers of church-discipline. By another of these canons, every bishop is commanded to have one or two prisons in his diocese, for the confinement of clerks convicted of capital crimes; "for," says the canon, "if any clerk be so incorrigibly wicked, that he must have suffered capital punishment if he had been a layman, we adjudge such an one to perpetual imprisonment." So shameless were the clergy of those times, not only in their practices, but in their very laws (24)!

**Exactions of  
the pope.**

Though we have said nothing for some time of the exactions of the court of Rome, we must not imagine that these exactions had ceased. On the contrary, they went on more briskly than ever. The fatal present of the crown

(22) See Spelman, *Lynwood*, and *Johnson's Councils*.

(23) *Annal. Burton*, p. 383. *Wilkin. Concil. t. i. p. 736—740.*

(24) *Johnson's Canons*, ann. 1261.



of Sicily, which the pope made to prince Edmund, A. D. 1254, furnished his holiness with an excellent handle for draining England of its wealth, for several years; in which space he is said to have drawn from this kingdom about nine hundred and fifty thousand marks: an immense sum, equal in value and efficacy to twelve millions sterling of our money at present! It is true, indeed, that during the heat of the civil wars, especially when the barons had the ascendant, the pope did not receive so much English money as usual, but he took great pains to get as much of it as possible. Cent. XIII.

After the restoration of the royal authority by the victory of Evesham, the pope sent his legate Othobon into England, to congratulate Henry on that happy event, and to manage the affairs of the court of Rome. This legate, observing how matters went, very charitably communicated the late earl of Leicester, and all his party, whether dead or alive (25). The same legate held a national council, A. D. 1268, at St. Paul's in London (26). In this council a great number of canons were made, much the same in substance with those of the former council of London, 1237, under the legate Otho. Very severe canons were framed in this council against pluralities, commendams, non-residence, and the clergy's accepting of civil offices; but these canons made little or no reformation in any of these respects, being chiefly designed to increase the power and revenues of the pope, by granting dispensations. This was the last council held in England in the reign of Henry III. who died on the 16th of November 1272 (27). Council of London.

Boniface archbishop of Canterbury did not long survive his great friend and patron king Henry; and his death occasioned fresh disputes about the election of a successor. The monks of Christ-church made choice of their superior William Chillenden; but the pope refused to confirm his election, and by his own power nominated Robert Kilwarby, a black friar, to be archbishop (28). King Edward was not yet returned from the Holy Land; and the guardians of the kingdom, not willing to come to a rupture with his holiness in the absence of their sovereign, Kilwarby primate.

(25) T. Wykes, p. 74.

(26) T. Wykes, p. 85. M. Westmonst. p. 400.

(27) M. Westmonst. p. 401.

(28) Anglia Sacra, t. i. p. 116, acquiesced

Cent. XIII. acquiesced in this nomination. But that the rights of the crown might not suffer by their silence, they made a solemn protestation against this act of the pope, as an encroachment on the royal prerogative, and insisted, that it should not be drawn into precedent; and Barnard, the king's resident at the court of Rome, made a protestation in his master's name to the same effect. The monks of Canterbury, too, in order to preserve their own rights, proceeded to an election, and made choice of Kilwarby. From hence it appears, that though the kings and clergy of England often submitted to these papal encroachments, they never lost sight of their own undoubted rights.

Council of  
Lyons.

In the year 1274, the pope held a general council at Lyons, for the reformation of church-discipline, and the relief of the Holy Land (29). For this last purpose, the pope and council imposed a tax on all the clergy of a tenth of their revenues, for six years. This tax was collected in England, as well as in other countries of Christendom.

Oppressions  
of the pope.

As the power of the pope and the church appear to have been at their greatest height in England about this time, it may not be improper to take a short view of this prodigious fabric of ecclesiastical tyranny, and of the deplorable oppressions under which our ancestors groaned in this superstitious age. Some of those oppressions are not ill expressed in that letter of complaint which was written to the pope by the king, the prelates, and the barons of England, A. D. 1246. In that letter they complain, 1. That the pope, not content with the annual payment of Peter-pence, exacted from the clergy great contributions, without the king's consent, and against the customs, rights, and liberties of the realm of England. 2. That the patrons of churches could not present fit persons to the vacant livings, the pope conferring them generally on Italians, who understood not the English language, and carried out of the kingdom the money arising from their benefices. 3. That the pope oppressed the churches, by exacting pensions from them. 4. That Italians succeeded Italians, contrary to the decree of the council of Lyons; and that these Italians were invested in their livings without trouble or charges; whereas the English

(29) Du Pin's Church Hist. vol. 11. p. 123.

were obliged to prosecute their rights at Rome at a great expence. 5. That in the churches filled by Italians, there were neither alms nor hospitality; neither was there any preaching; and the care of souls was entirely neglected. 6. That the clause of *non obstante*, generally inserted in the pope's bulls, absolutely destroyed all laws, customs, statutes, and privileges, of the church and kingdom (30). To these were added many other grievances no less oppressive and intolerable; such as,—the pope's filling the highest dignities of the church by his own power, and making the archbishops and others pay exorbitant sums for their preferments;—his drawing all causes of any importance to Rome, and keeping the parties long waiting for their determination, at a great expence—if we add to all these the great sums that went annually to Rome, for pardons, indulgences, dispensations, &c. &c. &c. we shall be surpris'd that the kingdom was not drained of all its wealth.

Cent. XIII.

Besides all these oppressions and exactions of the court of Rome, the clergy at home claimed many privileges which were quite inconsistent with the peace and prosperity of the kingdom; such as an exemption from all civil authority and jurisdiction, by which they were at liberty to commit the greatest crimes almost with impunity. The ecclesiastical courts encroached greatly on the jurisdiction of the civil courts, and claimed the sole right to judge all causes relating to tithes, marriages, testaments, and many other things, under a pretence that they had some connection with spirituals. The possessions of the clergy too, never diminishing, but daily increasing, were now swelled to an enormous bulk, and threatened to swallow up the whole lands of the kingdom. These things cried aloud for reformation, and the great prince who was now upon the throne made some amendments in a few particulars.

Encroachments of the English clergy.

One of the statutes of Westminster 1275, set some bounds to the immunities of the clergy, by enacting, that when a clerk was indicted in the king's court for any felony, he should not be delivered to his ordinary, until he had undergone an inquest and trial by lawful

Remedies.

(30) M. Paris, p. 599. An. Burton. p. 307.

Cent. XIII. men (31). By the famous statute of mortmain, A. D. 1279, a stop was put to the further increase of the possessions of the church, which were already far too great. For by that statute it was enacted, “ That from henceforth none shall either give, sell, bequeath, or change, or by any other title whatsoever assign, any lands, tenements, or rents, to any religious body, without licence from the king had for that purpose (32).”

Peckham  
primate.

In the year 1278, Robert Kilwarby archbishop of Canterbury, being promoted to be cardinal of Oporto by the pope, resigned his see, and went to Rome. His holiness, after rejecting Robert Burnell bishop of Bath and Wells, who was elected by the monks of Canterbury, nominated John Peckham, a Franciscan friar, to that high dignity, who is said to have paid a good sum for his nomination (33). Peckham, being consecrated by the pope, came over to England, and was peaceably received by Edward, who did not think fit at this time to engage in a quarrel with the court of Rome.

Synod of  
Reading.

This primate held a provincial synod at Reading, in August 1279; in which the constitutions of Ottobon were confirmed, and several canons were made,—about the collation to benefices;—describing the persons against whom the sentence of excommunication was to be annually denounced,—against the clergy keeping concubines,—about baptism,—and about the government of monks and nuns (34). But some of these canons concerning excommunication were so disagreeable to the king and parliament, that the venerable father John archbishop of Canterbury was obliged to appear before the king in his parliament at Michaelmas the same year, and there had the mortification to see some of the articles of his late canons blotted out, and others changed; and was made to declare his assent to these alterations. This was a very bold effort (considering the times) of the civil power against ecclesiastical tyranny, and a proper prelude to the statute of mortmain, which was enacted by the same parliament.

The same primate held another council of his clergy at Lambeth, A. D. 1281, in which several canons were

(31) Coke's Inst. part. 2. p. 156.

(32) Knighton, col. 2462. Statutes at Large, p. 83.

(33) Du Pin, vol. 11. p. 75. (34) Spelman Concil. t. 2. p. 320.



made. The most remarkable of these was the first, Cent. XIII. which related to the administration of the eucharist. Amongst other things it is decreed, that at the elevation of the host the bells shall ring, and all that hear them, even out of church, shall fall down on their knees. The same canon contains also directions to the priests, what instructions they ought to give the people about this sacrament (35). One of these instructions is so singular, that it well deserves a place here : “ Let priests also take  
 “ care, when they give holy communion at Easter, or  
 “ at any other time, to the simple, diligently to instruct  
 “ them that the body and blood of our Lord is given  
 “ them at once under the species of bread ; nay, the  
 “ very living and true Christ, who is entirely under this  
 “ species in the sacrament. And let them also instruct  
 “ them, that what is at the same time given them to  
 “ drink, is not the sacrament, but mere wine, to be  
 “ drank for the more easy swallowing of the sacrament  
 “ which they have taken (36).” These wise instructions were plainly intended to prepare the poor laics for what soon after happened, the depriving them of the cup entirely, and leaving them to swallow their dry bread in the best manner they could.

The inclination which Edward and the parliament had lately discovered, to set some bounds to the increasing power and wealth of the clergy, was by no means agreeable to the archbishop ; who in the year 1281, wrote a very sharp letter to the king on that subject (37). In that letter he complains, that the church was oppressed, contrary to the decrees of the popes, the canons of councils, and the sanction of orthodox fathers ; “ in which,” says he, “ there is the supreme authority, the supreme  
 “ truth, the supreme sanctity ; and no end can be put  
 “ to disputes, unless we can submit our solemnity to these  
 “ three great laws.” In this epistle the primate roundly declares, that no oaths shall bind him to do any thing against the interests and liberties of the church ; and very kindly offers “ to absolve the king from any oath  
 “ he may have taken that can anywise incite him against

Primate's  
letter to the  
king.

(35) Du Pin's Ch. Hist. vol. 11. p. 131. Johnson's Canons, an. 1281.

(36) Spelman's Coun. v. 2. p. 329.

(37) Du Pin's Ch. Hist. vol. 11. p. 131. Spelman Council. t. 2. p. 341.

Cent. XIII. “the church.” But this thundering letter made no impression on king Edward, who continued to take several other steps towards abridging the exorbitant power and wealth of the clergy.

New heresy.

Archbishop Peckham took occasion, A. D. 1286, to display his orthodoxy, and skill in scholastic divinity, by censuring several propositions maintained by one Richard Knapwell, a Dominican friar; the only heretic we hear of in England in the thirteenth century. These propositions maintained by the friar, and condemned by the primate, are so far curious, as they shew us what were the subjects of controversy and disquisition amongst the divines and philosophers of this period, and were as follows. “1. That the dead body of Jesus Christ had “not the same substantial form as when living. 2. “That if the eucharistical bread had been consecrated “with these words, *This is my body*, during the three “days Jesus Christ lay in his grave, the bread would “have been transubstantiated into the new form which “the body of Christ took at the separation of his soul. “3. That after the resurrection of Jesus Christ, the “eucharistical bread is transubstantiated by virtue of “these words, *This is my body*, into the whole living “body of Christ; that is, the matter of the bread is “converted into the matter of his body, and the substantial form of the bread into the substantial form of his “body; that is to say, into his intellectual soul, so far “as it constitutes the form of his body. 4. That in “man there is only one form, namely, his rational “soul, without any other substantial form. 5. That in “articles of faith, a man is not bound to rest on the authority of the pope, or of any priest or doctor; but “that the holy scriptures, and right reason, are the “only foundations of our assent (38).” One cannot help wondering how so important a truth as that which is contained in the last proposition, ever came into company with the vile jargon and nonsense of all the rest. This last proposition, however, was no doubt considered by the primate as the greatest and most dangerous heresy of the whole.

(38) T. Wylor, p. 114. Knyghton, col. 2467. Spel. Con. vol. 2. p. 347.

Archbishop Peckham dying A. D. 1292, was succeeded, after a vacancy of two years, by Robert Winchelsey, who sat very uneasy in the archiepiscopal chair. King Edward being much engaged in war, had great occasion for money, and made frequent demands upon the clergy, which were considered by them as grievous encroachments on the immunities of the church. These demands of money became more frequent and more heavy during the primacy of Winchelsey, on account of the long and expensive war with Scotland. In the year 1294, while the archbishop-elect was still at Rome, Edward seized all the money which had been collected in England for the holy war, and was deposited in several monasteries, and applied it to his own use (39). A few months after this, he called an assembly of the clergy to meet at Westminster on the 21st of September in the same year, and demanded from them one half of all their revenues, both spiritual and temporal (40). This demand, as might have been expected, was not very cheerfully complied with; and they obtained an audience of the king, in order to persuade him to accept of a more moderate proportion. But William Montfort, dean of St. Paul's, whom they had appointed their orator, was thrown into so violent an agitation of spirits, probably by the royal frowns, soon after he had begun his harangue, that he sunk to the ground, and expired upon the spot. When the clergy, after this fatal accident, had returned to the monks hall at Westminster, their deliberations were interrupted by the intrusion of sir John Havering, sent by the king; who, with a fierce menacing air, addressed the assembly in this laconic speech: "Reverend fathers, if any of you dare to contradict the king's demand in this business, let him stand forth into the midst of this assembly, that his person may be known, and taken notice of, as a breaker of the peace of the kingdom." None of the clergy had courage to return any answer to this speech, or make any further opposition to the king's demand.

The archbishop hearing what havoc Edward was making of the revenues of the church, obtained a bull from Boniface VIII. one of the greatest champions for the power of the clergy.

(39) T. Wykes, p. 126. Walsing, p. 65.

(40) M. West. p. 421, 422.

Cent. XIII. **er**, wealth, and immunities of the clergy, that ever filled the papal chair, prohibiting all princes to levy any taxes on the clergy in their dominions, without the leave of the holy see, and forbidding the clergy to pay any such taxes; and threatening both princes and clergy with the dreadful sentence of excommunication in case of disobedience (41). Winchelsey, armed with this impenetrable shield (as he imagined) against all future attempts on the sacred patrimony of the church, returned into England; and soon had occasion to try its strength and efficacy. For Edward held a parliament at St. Edmundsbury, on November 3, A. D. 1296 (42), in which he demanded from the clergy a fifth of all their moveables. They refused to comply with this demand; and the archbishop produced the pope's bull, which he had hitherto kept secret, as the ground of their refusal (43). Though the king was greatly offended at this refusal, and still more at the pretence on which it was built, he did not immediately proceed to extremities, but gave them to the next meeting of parliament to consider of the matter. At the meeting of the next parliament, 15th January 1297, the clergy still persisted in refusing to comply with the king's demand (44).

The clergy  
obliged to  
submit.

Edward, perceiving that this dispute was come to a crisis, and that he must now establish the right of king and parliament to tax the possessions of the clergy without the consent of the pope, or for ever give it up, determined to carry his point. With this view he told the clergy, that since they would contribute nothing to the support of his government, they should receive no protection from it; and he gave orders to all his judges to do every man justice against the clergy, but to do them justice against no man. At the same time he directed writs to all the sheriffs in England, commanding them "to seize all the  
" lay fees of the clergy, as well secular as regular, toge-  
" ther with their goods and chattels, and keep them in  
" their possession, until they received further orders from  
" him." These two things brought such a torrent of abuses, injuries, and distresses, on the clergy, that many of them very soon complied with the king's demand, and obtained the protection of the government, and restitution

(41) Rymer, vol. 2. p. 706. Henning, vol. 1. p. 104.

(42) Walsing. p. 68.

(43) Henning, vol. 1. p. 107.

(44) Walsing. p. 68.




of their estates and goods. At last, even the archbishop himself, the chief author of all this disturbance, after he had been stripped of all, and almost reduced to want the necessaries of life, was brought to submission, and paid the fifth part of his moveables to redeem the rest of his possessions (45). Thus did this great king, by his wife and steady measures, triumph over the covetous and selfish claims of the pope and clergy when their power was at the highest. Cent. XIII.

While this great controversy between the king and the clergy subsisted, the primate held a provincial synod at London in January 1298, in which it was decreed, "That the seizers of ecclesiastical goods, and such as took them away by violence, without the free leave of their owners, or of their bailiffs, be publicly and in general denounced to be under the sentence of the greater excommunication, by the bishops themselves in the cathedral churches and other notable places, by other idoneous men, in other churches of every diocese, at the command of the diocesan (46)." But the whole body of the clergy being immediately after this put out of the protection of the law, and exposed to all manner of insults, these excommunications were either not denounced, or not regarded. After this storm was blown over, and the archbishop had recovered the possession of his see, he sent a solemn mandate to all the bishops of his province, dated at Otteford 6th ides of July 1298, enjoining and commanding them, by virtue of their canonical obedience, 1. To cause the sentence of excommunication to be published in every church in each of their dioceses, against all seizers of the goods of ecclesiastical men, according to the decree of the synod of London. 2. To cause the same sentence to be published in each of their cathedral churches, twice a-year, against all infringers of the great charter, and the charter of forests (which had been lately renewed by the king), and to cause the said charters to be at the same time publicly read before the people. 3. To cause the same sentence of the greater excommunication to be published in every church in each of their dioceses, every Lord's day, and every festival, against all who should be guilty of beating or imprisoning clergymen. All these excom-

(45) M. West. p. 429. Walsing. p. 69.

(46) Johnson's Canons, an. 1298.

Cent. XIII.  munications were to be pronounced with the greatest possible solemnity, with bells tolling and candles lighted, that it may cause the greater dread; “for laymen (says the “primate) have greater regard to this solemnity than to “the effects of such sentences (47).”

Synod of  
Merton.

Archbishop Winchelsey held a provincial synod at Merton, A. D. 1305, in which several canons were made, relating to the payment of tithes, the duty of stipendiary or mass-priests, and some other things of no great importance. The fourth canon of this synod may be perhaps thought curious, as it contains a very full and distinct detail of the several books, vestments, and utensils which were used in the celebration of divine service, in this period, together with the other furniture and ornaments of their churches. The design of the canon was to put an end to all disputes between the rectors of churches and their parishioners, by ascertaining what part of the books, vestments, utensils, furniture, and ornaments of the church each of them was to provide and keep in repair. By this constitution the parishioners were obliged to provide the following books for their church, viz. 1. A Legend or Lectionary, a book containing all the lessons, out of scripture, and other books, which were to be read throughout the year; 2. An Antiphonar, a book containing all the invitatories, responses, verses, collects, and every thing that was said or sung in the quire, except the lessons; 3. A Grail, a book containing the tracts, sequences, hallelujahs, the creed, offertory, trisagium, &c. and the office for sprinkling the holy water, and all that was to be sung at high mass; 4. A Psalter; 5. A Troper, which contained only the sequences which were not in the Grail; 6. The Ordinal, a book containing directions for the right method of performing all the divine offices; this book was sometimes called the Pie or Portuis; 7. A Missal or Mass-book; 8. A manual, a book containing the offices of baptism, and the other sacraments, except the mass, with the service used at processions. It must have been a great expence to parishes to provide all these books before the invention of printing, when the common price of a mass-book was five marks, equal to the yearly stipend of some vicars at that time. Besides these books, the parishioners

were obliged to provide the following vestments, viz. 1. <sup>Cent. XIV.</sup> The principal vestment, or best cope, to be used on the greater festivals; 2. A chesible, being the garment worn by the priest next under the cope, and which was sometimes called the planet; 3. A dalmatic, the garment used by the deacon; 4. A tunic, for the sub-deacon; 5. A choraal cope, for common use, with its appendages, viz. the alb, amyt, stole, maniple, and girdle; 6. Three surplices, and one rochet, or surplice without sleeves; 7. A frontal or covering for the great altar, and three or four towels. The parishioners were further obliged to provide the following sacred utensils; 1. A chalice or cup for the wine, with a patin or cover, both of silver; 2. A pyx or box for the body of Christ, of ivory or silver; 3. A censor; 4. A cross for processions, and another cross for the dead, to be used in the burial-office; 5. A baptismal font, with lock and key; 6. A vessel for the holy water; 7. A great candlestick for the taper at Easter; 8. A lanthorn and hand-bell, to be carried before the body of Christ in the visitation of the sick; 9. An osculatory, or board with the picture of Christ or the Virgin Mary painted on it, which the priest kissed immediately after consecrating the host, and then handed about to the congregation to kiss; 10. All the images in the church, and the chief image in the chancel. The parishioners were obliged also to build and keep in repair the body of the church, the glass windows, and to furnish it with bells, and several other things. All this must have been attended with a very great expence, as several of these articles were costly both in their materials and workmanship. The rectors were obliged to keep the chancel, with its desks, &c. in repair (48).

The holding the synod of Merton was amongst the last public acts of archbishop Winchelsey, in the reign of Edward I. he being soon after involved in very grievous troubles. For though the king and the primate had been outwardly reconciled to one another several years ago, yet that reconciliation never was sincere. The primate still continued to defend the immunities of the clergy with much zeal, and warmly joined with that party of the barons who opposed Edward's arbitrary measures, and ob-

Troubles  
of the pri-  
mate.

Cent. XIV. liged him frequently to confirm the great charter, against his inclination. The king was greatly enraged at this behaviour of the archbishop, and only waited a favourable opportunity to make him feel the weight of his resentment. Such an opportunity now offered. The high constable, and earl marshal, the two heads of that party to which the primate had constantly adhered, had lately been deprived of their offices, and obliged to throw themselves on the king's mercy. Boniface VIII. the great friend and protector of Winchelsey, was now dead, and the papal chair was filled by Clement V. who having been born in Edward's French dominions, was much disposed to favour his native sovereign. The king accused the archbishop before the pope of various crimes, particularly of disturbing the peace of the kingdom by abetting the factious barons; and his holiness suspended him from the execution of his office, deprived him of the temporalities of his see, and cited him to appear at Rome (49); where he continued in indigence and disgrace, till after the king's death, when he was recalled by Edward II. and restored to his dignities and possessions.

Checks given by parliament to the exactions of the clergy.

Edward I. in the absence of the primate, endeavoured to reform several ecclesiastical abuses in his last parliament, which met at Carlisle 21st January 1307. The superiors of several religious orders, who lived beyond seas, used frequently to come into England, on pretence of visiting the monasteries of their order; from whence they extorted great sums of money, which they carried out of the kingdom. To prevent this practice, a statute was made, prohibiting the exportation of the goods of religious houses on any pretence whatsoever (50).

Provisions.

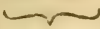
The court of Rome, ever fertile in expedients for obtaining power and wealth, had lately invented a new method of getting the disposal of all ecclesiastical benefices and preferments. This was by giving reversionary grants of benefices before they became vacant; by which the legal patrons were deprived of their right of presentation. These grants were called provisions, because thereby successors were provided to incumbents while they were yet living. The pope had also, about this time,

(49) Walsing. p. 91. W. Thorn. col. 2003.

(50) Coke's 2d. Inst. p. 580 Rycey's Pleas. Parl. p. 312.



laid claim to the first fruits of all vacant bishoprics, which had formerly belonged to the king. The parliament made loud complaints against these, and several other schemes, which the court of Rome had lately set on foot to drain the kingdom of money. In order to obtain a redress of these new grievances, the parliament drew up a list of them, which they sent to the pope, accompanied with a very spirited letter. This list of grievances consisted of seven articles; which were as follows:

1. The extravagant number of provisions granted by the pope, of the best spiritual preferments, to Italians, or other foreigners, and non-residents, to the great prejudice of the founders, benefactors, and their successors, and to such as had the right of advowson, and the gifts of such preferments. Cent. XIV. 

2. The rents and revenues of religious houses, which the pope intended to apply to the use of divers cardinals.

3. Concerning first-fruits of vacant benefices reserved to the pope, a thing never heard of before; concerning the collection whereof, he had lately issued forth divers hard and severe orders, much prejudicial to the king, kingdom, and the whole English church.

4. About Peter-pence; that it was not taken according to the first grant, but exacted to treble the value.

5. Concerning legacies given to pious uses; that they were wickedly demanded, and exacted by the authority of the apostolic see, and converted to other uses than the testator or donor intended.

6. Concerning debts; that creditors went to the pope's clerks, and offered them half the debt, more or less, to get the rest; who presently caused the debtors to be summoned, or distrained, to answer before them.

7. Concerning indistinct legacies; though approved by the civil or common law, yet the pope's clerks impiously appropriated them to themselves, contrary to the design of the deceased (51).

William Testa, the pope's nuncio, was called before the parliament, sharply reprimanded for these new acts of extortion, and commanded to desist from them; and his

Cent. XIV. inferior agents were ordered to be prosecuted with the utmost severity. This noble spirit of the English parliament gave a momentary check to the cruel exactions of the court of Rome; but brought no effectual remedy, as will appear from the sequel of this history.

Innovations  
in this pe-  
riod.

There were but few innovations in the doctrine of the church of England in this period; the minds of the clergy being much more keenly engaged in the pursuits of power and wealth, than in speculative disquisitions. There happened, however, a considerable change in the sentiments of the church in the point of transubstantiation in the course of the thirteenth century. In the beginning of this century, the doctrine of the church on this subject, as declared by the fourth general Lateran council, was, "That the bread was transubstantiated into the body of Jesus Christ, and the wine into his blood (52)." But before the end of the century, the faithful were taught to believe, "That both the body and blood of our Lord, nay the whole living and true Christ, was given them at once, under the species of bread; and that the wine which was given them at the same time to drink, was not the sacrament, but mere wine (53)." There were not a few changes in the worship and discipline of the church in this period. The number of festivals was considerably increased; bells were tolled at the elevation of the host, to engage the adoration even of those who were without the church (54). In partaking of the eucharist, sometimes a cup of wine was given to the laity, though it was declared to be no part of the sacrament; at other times they were put off with the washings of the priests fingers (55). Confession was more strictly and more generally enjoined than formerly; and none were permitted to communicate who did not give evidence of their having confessed (56). What were called *ipso facto* or *ipso jure* suspensions and deprivations (by which those priests who were guilty of certain irregularities and vices were declared to be suspended from their offices, or deprived of their benefices) came first into use in this period. The first example we meet with of suspensions and deprivations of this kind, is in the

(52) Du Pin, vol. 11. p. 96.

(53) Suet. Conc. vol. 2. p. 320.

(54) Spil. Conc. t. 2. p. 150.

(55) Joh. Henr's Can. A. D. 1236—11.

(56) Id. ibid. vol. 2. A. D. 1228—11.

Constitutions of Otho, the pope's legate, in the synod of London, A. D. 1237. By the 15th of these constitutions it is decreed, That all married priests be *ipso jure* deprived of their benefices; that all their goods, even those which they had gotten with their wives, be applied to the use of the church; and that their children be incapable of church-preferments (57). But this was an obstinate plague (as they called it), which for several centuries baffled all the power and cunning of the court of Rome, and required extraordinary methods to drive it out of the church. General excommunications came also into use in this century, by which all who were guilty of certain vices and crimes, though known only to God and their own consciences, were declared to be excommunicated. These general excommunications were at first denounced chiefly against such as injured the clergy, by detaining their tithes, defrauding them of any of their dues, or stealing any thing belonging to the church. They were to be published by every parish-priest in his holy vestments, with bells tolling and candles lighted, before the whole congregation, in the mother-tongue, on Christmas, Easter, Pentecost, and Allhallows-day (58). That these excommunications might make the greater impression on tender consciences or timorous natures, they contained the most horrible infernal curses that could be devised: "Let them be accursed eating and drinking; walking and sitting; speaking and holding their peace; waking and sleeping; rowing and riding; laughing and weeping; in house and in field; on water and on land, in all places. Cursed be their head and their thoughts; their eyes and their ears; their tongues and their lips; their teeth and their throats; their shoulders and their breasts; their feet and their legs; their thighs and their inwards. Let them remain accursed from the bottom of the foot to the crown of the head, unless they bethink themselves, and come to satisfaction. And just as this candle is deprived of its present light, so let them be deprived of their souls in hell (59)." Such was the bitter unchristian language of the excommunications of those times!

(57) Johnson's Can. A. D. 1237—15.

(58) Selman. Can. v. 2. p. 181.

(59) Wanly's Catalogue.

But

Cent. XIV.

Exactions  
of the court  
of Rome.

But that which is most worthy of our attention, or rather of our indignation, in the church-history of this period, is, the insatiable avarice, and boundless ambition, of the court of Rome. The arts of that court to drain this unhappy kingdom of its treasure, and fleece both the clergy and laity, were almost innumerable. What prodigious sums of money were yearly carried out of England to Rome,—by pilgrims;—by those who prosecuted appeals, and law suits, before that court;—by prelates who went thither to obtain consecration, and the confirmation of their elections;—by such as went to solicit, or perhaps to purchase, church-preferments, which were almost all bestowed by the pope;—by the legates and nuncios who from time to time carried off incredible sums, raised on various pretences;—by the Italians, who possessed many of the richest benefices in England:—by the first-fruits of benefices;—by Peter-pence;—by the annual tribute imposed upon king John and his successors, and by several other means!

Pride of the  
popes.

The popes, who hypocritically styled themselves, *the servants of the servants of the Lord*, pretended to be the universal monarchs of the Christian world, both in temporals and spirituals, and treated, not only the kings of England, but all the other sovereigns of Europe, as their vassals and subjects. Boniface VIII. who flourished towards the end of this period, carried these ambitious pretences to the greatest height, as appears from his famous bull, directed to Philip the Fair, king of France, dated the 5th December 1301: “Boniface the bishop, “a servant of the servants of God, to Philip king of “France. Fear God, and keep his commandments. “We will you to know, that you are subject to us, both “in spirituals and temporals. You have no right to “bestow benefices and prebends, &c. &c. We declare “them heretics who believe the contrary (60).” It will be difficult to find in history such an example of insolent humility.

New orders  
of monks.

Though this kingdom, and other parts of Christendom, already swarmed with monks and nuns of various orders, several new orders were instituted abroad in this period, and soon after their institution transplanted into England.



The most considerable of these new orders were the Franciscans and Dominicans. The Franciscan order was founded about the beginning of the thirteenth century by Francis of Assisy, from whom they took their name. They were first introduced into England A. D. 1216, and soon became famous for their pretended sanctity and real wealth. The Dominican order was founded about the year 1215, by Dominic de Gusman, one of those cruel enthusiasts who preached up the croisade against the Albigenes, by which such multitudes of unhappy people were destroyed, for no other crime than rejecting the tyranny, idolatry, and superstitions, of the church of Rome. The Dominicans were first established at Thoulouse, which was the centre of those pretended heretics they were designed to destroy; and from thence they soon spread over all Christendom; and settled in England A. D. 1217 (61). This order hath long inherited the spirit of its founder, having the direction of the infernal tribunal of the inquisition, by which so many thousands of good men have been condemned to the flames.

Cent. XIV.

## S E C T I O N II.

*History of Religion in Great Britain, from A. D. 1307, to A. D. 1399.*

THE conduct of the bishops of Rome never corresponded very well with the humble title which they assumed, viz. *The servants of the servants of the Lord*. But, in the dark ages we are now delineating, they acted much more like the sovereigns than the servants of the Christian world, and treated the greatest monarchs as their subjects. In the first year of the fourteenth century, Boniface VIII. declared, in a bull directed to the king of France,—“That God had established the pope sovereign over all kings and kingdoms, to pluck up, to

Cent. XIV.

Ambition of the pope.

Cent. XIV. “destroy, to scatter, or to build ;—that the king of  
 “ France ought not to think that he hath no superior,  
 “ and is not subject to the pope ;—that he who is of that  
 “ opinion is a fool and an infidel (1).”

Their avarice. Nor was the avarice of the popes of those times inferior to their ambition ; and while they insulted all the sovereigns who were in communion with them, they plundered their subjects, without measure and without mercy. In a word, the pride and rapacity of those pretended vicars of the humble Jesus, were so great, that they could hardly be endured by the most insatiating superstition, and excited loud complaints in every Christian country.

Act of parliament against the exactions of Rome. In a parliament held at Carlisle in January A. D. 1307, great complaints were made of the tyranny and rapacity of the pope,—in bestowing many of the best benefices in the kingdom by provisors on Italians and other foreigners, to the prejudice of the kingdom and of the lawful patrons ;—in granting pensions to cardinals out of the revenues of religious houses ;—in demanding the first fruits of vacant benefices, which was a new demand, and very prejudicial to the king and kingdom ;—in raising the rate of Peter-pence much higher than the original grant ;—in seizing legacies which had been given to pious uses, &c. An act was made in consequence of these complaints, prohibiting all these encroachments and extortions for the future (2). But this act was ill executed, and had little or no effect.

Primate recalled. Robert Winchelsey archbishop of Canterbury, who had been several years in exile, was recalled by Edward II. immediately after his accession (3). But that unfortunate prelate soon lost the favour of the young king, by refusing to dispense with the canons against pluralities and non-residence, in favour of the royal chaplains and court-clergy (4).

Knights-templars prosecuted. The prosecution of the knights-templars, which terminated in the dissolution of the order, and the execution of many of its members, engaged the attention of all the nations of Europe, for several years, in the beginning of

(1) Du Pin. Hist. Eccles. Cent. XIV. chap. 1.

(2) Riley Pleura Parliamentaria. p. 379.

(3) Wilkin. Concil. t. 2. p. 290.

(4) Antiq. Britan. p. 289.

the fourteenth century. This order, at its institution Cent. XIV.  
 A. D. 1118, consisted only of nine knights, who had their residence in a house near the Temple (from which they obtained the name of the knights-templars), and engaged in the protection of the Christian pilgrims who visited Jerusalem. Many of these pilgrims being princes, prelates, barons, and persons of great wealth, they were very liberal to their protectors; and the knights-templars, by degrees, became numerous and opulent, having many valuable estates in every Christian country. Their prosperity corrupted their manners, created them many enemies, and at length brought on their ruin. Two knights, who had been severely punished for their crimes, publicly charged the whole order with the most detestable enormities. They affirmed particularly,—1. That every knight, at his admission into the order, was obliged to abjure Jesus Christ, to spit upon the crucifix, and to trample it under his feet:—2. That they discharged him from all intercourse with women; but allowed him to commit the sin of Sodom:—3. That they compelled him to worship a wooden head, with a long beard, which was adored by their whole order, in their general assemblies. This strange discovery made a mighty noise, and was very agreeable to the enemies of the order. Philip the Fair, king of France, was the most dangerous, because he was the most powerful, of their enemies. That prince commanded all the templars in his dominions to be seized in one day (October 5, A. D. 1307,) and thrown into prison (5).

Though Clement V. who filled St. Peter's chair, at that time, seemed, at first, to be displeased with the proceedings of the king of France against the templars, he was soon prevailed upon, by the prospect of sharing in their spoils, to imitate his example, and to animate both princes and prelates against them, by his bulls. In consequence of one of these bulls, directed to Robert Winchelsey archbishop of Canterbury, a provincial synod was held at London, in November A. D. 1309, in which the affair of the templars in England was debated. A great mass of evidence against the Templars, which had been collected by the bishop of London, and other commissioners ap-

Synod of  
London.

(5) Du Pin, Hist. Eccles. Cent. XIV. ch. 2.

Cent. XIV. pointed by the pope to examine those of that order in England, was laid before this synod. Upon the force of that evidence, long and warm debates ensued, and at length the following sentence was pronounced: "That the Templars in London should be separated from one another, and examined again concerning the crimes objected to them, and that new interrogatories should be put to them, that if possible some truth might be extracted from them by their own confessions: that the same thing should be done to the Templars confined at Lincoln: that if by these separations and interrogatories they confessed nothing more than they had done before, they should then be put to the rack; but without mutilation, or the too violent effusion of blood. That the bishops of London and Chester, with the other commissioners, should acquaint the archbishop when all this was done, that he might re-assemble the synod (6)." The execution of this curious sentence took up a good deal of time: for the synod was not re-assembled till the feast of the exaltation of the holy cross, A. D. 1311. At that meeting, all the Templars who had been seized and brought to London appeared before the synod, and publicly confessed, "—That they had been accused of so many articles of heresy, that they could not legally exculpate themselves; and therefore they prayed for the mercy of God and of the church; and were ready to receive and perform whatever penances should be enjoined them." Upon hearing this, the synod decreed,—"That they should be separated from one another, and sent to the different monasteries of England, to perform the penances which should be enjoined them, until the holy see, in a general council, should finally determine concerning their state and order (7)."

Order of  
Templars  
dissolved.

A general council, consisting of about 300 archbishops and bishops, met at Vienne in Dauphiny, October 16, A. D. 1311. The chief intention of calling this council was, to determine the fate of the Templars, and to dispose of their great estates. After long deliberation, a solemn session of the council was held, May 22, A. D. 1312, in which pope Clement V. presided in person,

(6) Wilkin. Concil. tom. 2. p. 314.

(7) *Id.* *ibid.*



and at which the king of France, the capital enemy of the Templars, was present. In this session the final sentence against the Templars was pronounced with great solemnity, dissolving that order, and bestowing all its riches on the knights-hospitallers. But the sentence itself contains sufficient evidence, that those who pronounced it were conscious of its severity, or rather of its injustice. For the pope, in his bull of condemnation, declared, "That though it could not be done according to the usual rules and forms of justice, yet he dissolved the order of the Templars by the plenitude of his power (8)." Thus fell the famous order of the knights-templars, after it had flourished almost two centuries, and had attained a great degree of prosperity and wealth. That many of its members were dissolute in their manners, is not improbable; but that an order of knights instituted for fighting in defence of Christianity, should make the renouncing of Christ, with every mark of contempt, the capital ceremony of their admission, is altogether incredible.

From the time that William the Conqueror separated the ecclesiastical from of the civil jurisdiction, there had been continual disputes between the ecclesiastical and civil courts, about the limits of their authority. Many attempts had been made to terminate these disputes, by regulating the boundaries of the different jurisdictions. But this was found to be a very difficult task, on account of the mixed nature of many actions, which gave both the spiritual and temporal courts a claim to take cognizance of them. These disputes therefore still continued; and loud complaints were made, in the council of London above mentioned, of the encroachments of the civil upon the ecclesiastical courts. A long catalogue of these encroachments, which were called grievances, was drawn up by the council, and presented to the king in parliament, with an earnest supplication for redress. This curious catalogue is far too long to be here inserted; but the following article will serve to give us some idea of what the clergy esteemed grievances in this period.—“*Item,* “When clergymen are apprehended on suspicion of a crime, by the civil officers, they are not immediately

The English clergy complain of grievances.

(8) Du Pin, Cent. XIV. ch. 2. Walsing. Hist. Angl. an. 1312.

Cent. XIV. “ delivered up to their bishops upon demand, as of right  
 “ they ought to be, but are long kept in prison,  
 “ contrary to the liberties of the church and cler-  
 “ gy.” To the several articles in this long list of griev-  
 ances, the king, by the advice of his parliament, returned  
 very artful and evasive answers (9).

Pope's bull  
 on that  
 subject.

The pope, at the same time, directed a bull to the  
 archbishop of Canterbury against the grievances of the  
 English clergy, desiring, or rather commanding, the  
 king (to whom the bull was to be communicated) to redress  
 these grievances, in order to preserve himself and his  
 kingdom from total destruction. In this bull, his holiness  
 complains bitterly, “ That clerks invested with the sa-  
 “ cerdotal character, and shining with the splendour of  
 “ pontifical dignity, were tried by laymen, condemned,  
 “ and hanged, when found guilty of murder, or rob-  
 “ bery, to the great provocation of the supreme King,  
 “ who hath forbidden the secular power to touch his a-  
 “ nointed (10).” In so shocking a manner did this pre-  
 tended vicar of Christ on earth pervert and misapply the  
 word of God!

Archbi-  
 shop Win-  
 chelsea's  
 death and  
 character.

Robert Winchelsea, archbishop of Canterbury, died  
 May 11, A. D. 1313; in the twentieth year of his pri-  
 macy. He is said to have been a prelate of great piety,  
 an excellent grammarian, philosopher, and divine; an  
 affecting and popular preacher. The high notions which  
 he entertained of the immunities of the clergy involved  
 him in many troubles; which he sustained with uncom-  
 mon fortitude (11).

Reynolds  
 archbishop  
 of Canter-  
 bury.

The monks of Canterbury elected Thomas Cobbeham  
 dean of Salisbury, who was commonly called *the good*  
*clergyman*, to be their archbishop. But the Pope at the  
 request of Edward II. vacated this election, and, in the  
 plenitude of his apostolic power, appointed Walter Rey-  
 nolds bishop of Worcester to be primate, on the 1st day  
 of October A. D. 1313 (12).

Extraordi-  
 nary pow-  
 ers granted  
 by the  
 pope.

Archbishop Reynolds appears to have been a great fa-  
 vourite of the reigning pope, Clement V. who not only  
 raised him to the primacy, but granted him several extra-  
 ordinary powers by his bulls. By one of these bulls he

(9) Wilkin. Concil. tom. 2. p. 314—320. (10) Id. ibid. p. 323.

(11) Angliæ Sacra, tom. 1. p. 11—17. (12) Id. ibid. p. 18.

gave him authority to visit the several dioceses in his province by proxy; by another he authorised him to absolve one hundred persons who lay under the sentences of excommunication and interdict; and by others he impowered him—to relax all who heard him preach, or say mass, from one hundred days penances;—to bestow holy orders on one hundred bastards;—to allow twelve clerks under age to enjoy benefices, with cure of souls;—to dispense with the canons of the church against pluralities in favour of forty clergymen, &c. (13). In this manner, the popes of those times not only claimed a right to dispense with all the laws of the church themselves, but even to delegate this dispensing power to others.

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The disputes between the temporal and spiritual courts, about the limits of their several jurisdictions, still continuing, a remarkable statute, commonly called *articuli cleri*, was made, A. D. 1316, for terminating these disputes. As this statute was procured by the clergy, at a time when their assistance was much needed, it was very favourable to their shameful and exorbitant claims of exemption from civil authority. By the last chapter it is granted,—that when clerks confess before temporal judges their heinous offences, as theft, robbery, and murder, they cannot be judged or condemned by these temporal judges upon their own confession, without violating the privilege of the church; and that the privilege of the church, being demanded in due form by the ordinary, shall not be denied (14).

Statute called articuli cleri.

It was not long before one of the bishops had occasion to plead this statute, and was protected by it from the punishment due to his crimes. This was Adam de Orleton bishop of Hereford, a factious and martial prelate, who had appeared in arms with the rebellious barons defeated at Burrow-bridge A. D. 1321. Being accused of high treason before the house of peers, in the parliament which met at Westminster in Lent A. D. 1324, he pleaded his privilege as a clerk, not to be tried by laymen; and being supported in this plea by the other bishops, it was admitted (15). The king, some time after, attempted to bring him to a trial in the court of

Adam de Orleton pleads the statute.

(13) Wilkins. Concil. tom. 2. p. 433—444.

(14) Coke's Institut. Part 2. p. 601, &c.

(15) T. Walling. Hist. Angl. p. 115.

Cent. XIV. king's bench, for the same crime ; but the three archbishops of Canterbury, York, and Dublin, came into court with their crosses borne before them, and carried him from the bar in triumph (16). The bishop of Hereford soon after completed his treasonable practices, by joining with the queen and Mortimer in accomplishing the destruction of his unhappy sovereign.

The citizens of London murder the bishop of Exeter.

The citizens of London did not pay so great regard to the privileges of the clergy, as the laws and courts of justice. Having embraced, with the most ardent zeal, the party of the queen and Mortimer, they seized the brave, learned, and loyal bishop of Exeter, Walter Stapleton, stripped him naked, loaded him with indignities, and at last cut off his head in Cheapside (17).

Simon Mepham primate.

Walter Reynolds archbishop of Canterbury died November 15, A. D. 1327, and was succeeded in that very important station by Simon Mepham (18). This primate had a long and warm contest with the monks of St. Augustine at Canterbury, who pleaded a papal exemption from his authority. In the course of this contest, some of the archbishop's servants beat and wounded two of the monks, and a notary, who had come to summon their master to appear before Icherius de Concoret canon of Salisbury, who had been commissioned by the pope to examine and determine this controversy. This insult was so highly resented by the pope and his commissioner, that the primate was obliged to swear on the gospels,—That he had given no orders to his servants ;—that he execrated what they had done ;—that he had turned them all out of his service, and would never receive any of them into it again. He was also obliged to bring thirty other witnesses to corroborate his own testimony. Icherius, after he had thus humbled the archbishop, pronounced a definitive sentence against him, and condemned him to pay no less than one thousand two hundred and forty-one pounds to the convent for their expenses (19). In this manner did the popes of those times, and their meanest agents, trample upon the greatest prelates, when they presumed to dispute their most arbitrary mandates.

(16) T. Walsing. Hist. Angl. p. 119.

(17) Id. p. 124.

(18) Anglia Sacra, tom. i. p. 18. 115.

(19) Chron. W. Thorn. col. 2039—2051.



Archbishop Mepham celebrated several provincial councils, particularly one at St. Paul's, London, in February A. D. 1328, and another at Magfield in July A. D. 1332. In the last of these councils, the number of the great festivals to be observed in the church of England was ascertained, and the manner prescribed in which they were to be kept (20).

Cent. XIV.  
Councils.

This primate appears to have been very diligent in discharging the duties of his office. He visited the dioceses of Rochester, Chichester, Salisbury, and Bath and Wells; but when he attempted to visit that of Exeter, he met with a very bold opponent. This was John Grandison, bishop of that see, who disputed the primate's right of visitation, and appealed to the pope (21). The archbishop, disregarding this appeal, proceeded in his visitation. But when he arrived at the confines of the diocese of Exeter, he found the bishop, with a numerous body of armed men, ready to dispute his entrance. This affront, together with the chagrin which his unfortunate contest with the monks of Canterbury had given him, had an ill effect upon his health; and he died at Magfield October 12, A. D. 1333, after he had filled the archiepiscopal chair about five years and six months (22). His body was for some time denied burial, until the abbot and monks of St. Augustine granted him their absolution; by which the historian probably means, a discharge of the debt which he owed them (23).

His dispute with the bishop of Exeter, and death.

John Stratford, bishop of Winchester, was, by the interest of Edward III. at the court of Rome, translated to Canterbury. This prelate had been much engaged in secular affairs before his promotion to the primacy, and was still more engaged in them after that promotion (24). For, being at the same time archbishop, chancellor, and prime minister to the young king, he had the chief direction of all the civil and ecclesiastical affairs of the kingdom. Even the monks of St. Augustine, though greatly elated with the complete victory which they had obtained over his predecessor, were glad to compromise all disputes with the new primate on his own terms, and to give up the final sentence which they had obtained in their favour (25).

Stratford primate, his great power.

(20) Wilkin. Concil. t. 2. p. 560.

(21) Ib. ibid. p. 559.

(22) Anglia Sacra, tom. 1. p. 18.

(23) W. Thorn, col. 2066.

(24) Anglia Sacra, tom. 1. p. 20.

(25) W. Thorn, col. 2069.

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The pri-  
mate quar-  
rels with  
the king.

Archbishop Stratford did not long enjoy this high degree of power and royal favour. Having failed in his endeavours to bring about a peace between France and England, he is said to have advised king Edward to prosecute his claim to the crown of France, by invading that kingdom with a powerful army, promising to provide money in England for defraying all the expenses of the war. His advice was taken; but he did not fulfil his promise; which obliged Edward to make a truce with the king of France, and disband his army, after he had contracted a great load of debt. The king, on his return to England, November 30, A. D. 1340, expressed the most violent resentment against the archbishop, to whose negligence or infidelity, in not sending him money, according to his promise, he ascribed all his disappointments. He immediately deprived him of his secular employments, imprisoned his chief confidants, and would have seized his person, if he had not made his escape from Lambeth. To render him as odious to his subjects as he was to himself, Edward published a long manifesto, in which he accused him of pride, ingratitude, negligence, treachery, and various other crimes. But though the primate had thus lost his power, and the favour of his prince, his spirit remained undaunted. He published a long answer to the royal manifesto, which he stiled a *defamatory libel*, and denied all the facts asserted in it, in the most direct terms. He mounted his pulpit in the cathedral of Canterbury, and harangued the clergy and people in praise of his predecessor Thomas Becket; and at the conclusion of his sermon, pronounced a sentence of excommunication against all who disturbed the peace of the church,—who incensed the laity against the clergy,—who did any injury to archbishops or bishops, their spiritual fathers, the ambassadors of Christ, and pillars of the church (26).

The king  
and primate  
reconciled.

After this quarrel between the king and the primate had raged with great violence for several months, interrupting all the public business of the nation, a seeming reconciliation was patched up, with much difficulty, by the interposition of some great men. All preliminaries being settled, the primate came into the painted cham-

ber, where both houses of parliament were assembled, Cent. XIV.  
 April 19, A. D. 1341, and kneeling before the king, who was seated on the throne, implored his pardon and favour; which was immediately granted, at the intercession of the lords and commons.

The primate, after his reconciliation with the king, kept himself for the most part within the sphere of his own profession. He published at Lambeth, A. D. 1342, certain statutes and constitutions for regulating the proceedings in the archbishop's court, commonly called *the court of arches*, from the place where it was held (27). In the course of the same year, he celebrated two provincial councils at London, in which several canons were made; but they contain very little that is either new or remarkable (28).

The pope still continuing to encroach upon the rights of the crown, and of other patrons, by reservations and provisions (29), king Edward wrote a very strong remonstrance to his holiness against these practices; in which, amongst other things, he represented, "That by these provisions and reservations, the encouragements of religion were bestowed upon unqualified mercenary foreigners, who neither resided in the country, nor understood its language; by which means the ends of the priesthood were not answered, his own subjects were discouraged from prosecuting their studies, the treasures of the kingdom were carried off by strangers, the jurisdiction of its courts baffled by constant appeals to a foreign authority, and both the crown and private patrons were deprived of their most unquestionable rights. These mischiefs (adds he) are now become intolerable; and our subjects in parliament have earnestly requested us to put a stop to them by some speedy and effectual remedy (30)." But this most reasonable remonstrance had little or no effect.

The wars with France and Scotland so much engrossed the attention of king Edward, and his subjects of all con-

Remonstrance against papal provisions, &c.

Death of archbishop Stratford.

(27) Wilkin. Concil. tom. 2. p. 681.

(28) Id. ibid. p. 676, 702.

(29) By reservations, the pope reserved to himself the next presentation to any benefices he pleased; by provisions, he appointed the persons to whom they were granted to succeed the present incumbents.

(30) T. Walsing. p. 161.

Cent. XIV. ditions, that few ecclesiastical transactions of importance occurred in the five last years of archbishop Stratford's primacy. That prelate died on the vigil of St. Bartholomew, August 23, A. D. 1348, at Magfield, in the fourteenth year of his government of the church of England (31).

Ufford pri-  
mate.

Those disputes between the crown, the canons of Christchurch, and the bishops of the province, which broke out almost on every vacancy of the see of Canterbury, were attended with very pernicious consequences. One of the worst of these consequences, was that the contending parties frequently appealed to Rome, which greatly encreased the authority of that court, and afforded a specious pretence for its most ambitious claims. On the present occasion the canons having elected Thomas Bradwardin to be their archbishop, the king, who designed that high station for another, immediately applied to the pope; and, notwithstanding his late strong remonstrance against papal provisions, entreated his holiness to raise John Ufford, dean of Lincoln to the see of Canterbury, by way of provision. This application was too agreeable to be unsuccessful. The pope, in the plenitude of his power, promoted Ufford to the primacy of the church of England; but that prelate died June 7, A. D. 1349, without having received consecration (32).

Great  
plague.

A most destructive pestilence raged about this time in England, as well as in several other countries, and swept away so many of the clergy, that none could be found to perform divine service in many churches. “ Before this  
“ plague (says Knyghton) you might have hired a curate  
“ for four or five marks a-year, or for two marks and his  
“ board; but after it you could hardly find a clergyman  
“ who would accept of a vicarage of twenty marks or  
“ twenty pounds a-year (33).”

Bradwar-  
din pri-  
mate.

King Edward no longer opposing the promotion of his confessor Thomas Bradwardin, he was elected by the canons of Canterbury, immediately after the death of archbishop Ufford, and consecrated at Avignon, where the pope then resided, on the vigil of the feast of St. Margaret. At the consecration-feast, cardinal Hugh, one of

(31) *Anglia Sacra*, tom. 1. p. 41.

(32) *Anglia Sacra*, tom. 1. p. 42.

(33) Hen. Knyghton, col. 2600.



the pope's nephews, attempted to turn the new archbishop (who was remarkable for the humility of his appearance) into ridicule, by introducing into the hall a person dressed like a peasant, and riding on an ass, who presented a petition to the pope to make him archbishop of Canterbury. But this unpolite unseasonable piece of wit was not relished by the pope and cardinals, who thought it imprudent to affront a people from whom they derived so many benefits. Archbishop Bradwardin did not long survive his consecration, dying at Lambeth, August 26, A. D. 1349, only seven days after his return to England (34). Thus there were no fewer than three vacancies of the see of Canterbury in one year.

Simon Islep, keeper of the privy seal, succeeded archbishop Bradwardin, and was consecrated at St. Paul's December 20, A. D. 1349. This primate proved a strict disciplinarian in spirituals, and a rigid exactor of the temporal emoluments of his see. In his primary visitation of his province, he deprived several clergymen for their irregularities, and excited very strong apprehensions in some of his suffragans (35). His famous constitution, published at Lambeth in March A. D. 1351, breathes the same spirit of strictness in discipline. By that constitution it is decreed, that clerks who have been delivered up by the temporal judges to their ordinaries, and by them condemned to perpetual imprisonment for their crimes, shall receive only bread and water once a day, on Wednesdays, Fridays, and Saturdays; and bread and small beer on Mondays, Tuesdays, and Thursdays; and bread, beer, and pulse, on Sundays, for the honour of the day (36). This constitution was made in consequence of the strong remonstrances of the king and temporal lords in parliament, who complained, that the clergy grossly abused their immunities; particularly, that when a clerk had been found guilty of a capital crime, and condemned to perpetual imprisonment by his ordinary, he was either allowed to make his escape, or to live in riot and luxury in the bishop's prison (37). This primate published another constitution, A. D. 1359, forbidding courts, fairs, and markets to be kept on Sundays, and

Cent. XIV.

Archbishop  
Islep's con-  
stitutions.(34) *Anglia Sacra*, tom. 1. p. 42, 43.(36) *Spelman. Conci. tom. 2. p. 597.*(37) *Id. ibid.*(35) *Id. ibid. p. 43.*

commanding

Cent. XIV. commanding all persons to go to their parish-churches on that day, to ask pardon for their offences, and to make amends for all the omissions and commissions of the preceding week (38). By another constitution, published A. D. 1362, he commands all Christians to keep the saints days with great devotion, that they might deserve the intercession of these saints with Almighty God.) The late pestilence having occasioned a great scarcity of clergymen, those who remained demanded excessive salaries for serving the cure in churches. To remedy this evil, archbishop Islep published a constitution, in which, after reproaching the clergy in very strong terms for their covetousness and other vices, he forbids any rector to give, or any curate to demand, more than one mark a-year above what had been given to the curate of that church before the plague (39).

Statute of provisors.

The pope still continuing to encroach upon the rights of the crown and of private patrons, and to dispose of all the most valuable benefices in the church, by his provisions and reservations; the second statute of provisors was made to put a stop to these encroachments. By this statute it was enacted,—“ That if any person shall procure  
“ reservations or provisions from the pope, in disturbance of free elections, or of the presentees of the king,  
“ or other patrons, that then the said provisors, their procurators and notaries, shall be apprehended, and  
“ brought to answer; and in case they are convicted,  
“ they shall be kept in prison till they have made fine  
“ and ransom to the king at his will, and have satisfied  
“ the party aggrieved, by paying his damages (40).”

Statute of premunire.

But these papal provisions and reservations were not the only ground of complaint which the people of England had, at this time, against the court of Rome. The frequency of appeals to that court was, if possible, a still more vexatious and expensive grievance. To confine this intolerable evil within some limits, the statute of premunire was contrived. By that statute it is enacted,  
“ That all people of the king’s legiance, who shall draw  
“ any out of the realm in a plea, whereof the cognisance pertains to the king’s court, or of thing, whereof

(38) Spelman, Concil. tom. 2. p. 499.

(39) Johnston’s Canons, A. D. 1362.

(40) See Statutes at Large, p. 25. Ed. III.

“ judgments are given in the king’s court, shall have Cent. XIV.  
 “ two months warning given them to appear in the  
 “ king’s courts, to answer the contempt; and if they  
 “ do not appear in their proper persons to be at the  
 “ law within the time appointed, they, their procura-  
 “ tors, &c. shall from that day forth be put out of the  
 “ king’s protection, and their lands, goods, and chattels,  
 “ shall be forfeited to the king, and their bodies impris-  
 “ oned, and ransomed at the king’s will (41).” But no  
 statutes could put a period to the mischiefs which England  
 suffered from its connection with the court of Rome, till  
 that connection was happily dissolved.

An event happened during the primacy of archbishop Power of  
the clergy.  
 Islep, which may give us some idea of the power of the  
 clergy in the times we are now considering, and therefore  
 merits a place in history. Robert lord Moreley, one of  
 the most powerful barons of the kingdom, committed  
 some trespasses in a park belonging to William Bateman  
 bishop of Norwich. For these the bishop prosecuted him  
 with so much vigour, that, in spite of all his own power,  
 and of the most earnest interposition of the king in his  
 favour, he was obliged to submit to the following ignomi-  
 nious penance:—To walk in his waistcoat, bare-headed  
 and bare-foot, with a wax candle, weighing six pounds.  
 lighted in his hand, through the streets of Norwich, to  
 the cathedral; and there, in the presence of a prodigious  
 concourse of people, to beg the bishop’s pardon, in the  
 most humble posture and language (42).

But though the power of the clergy, at this time, was  
 almost irresistible, when it was conducted with prudence  
 and temper; yet when it was exercised with violence and  
 passion, it was sometimes baffled. Of this the famous  
 dispute between lady Blanch, baroness Wake, and  
 Thomas de Lylde bishop of Ely, affords a most remark-  
 able example. In the beginning of this dispute (the par-  
 ticulars of which are too many to be here inserted), that  
 prelate appears to have had right on his side; but in the  
 progress of it, he acted with such intolerable insolence,  
 pride, and passion, that he became universally odious,  
 was deprived of the temporalities of his see, obliged to

(41) Statutes at Large.

(42) *Anglia Sacra*, t. i. p. 415.

Cent. XIV. fly out of the kingdom, and at last died of a broken heart, in a foreign land, A. D. 1361 (43).

Seven sees vacant. A most destructive pestilence raged in England, and several other countries, A. D. 1360; and in that year no fewer than seven English bishoprics became vacant, which were all filled by papal provisions (44). So little effect had the statute of provisors, which had been made against that encroachment of the pope, only ten years before.

Death of Simon Islep, and succession of Simon Langham.

Simon Islep, archbishop of Canterbury, did not very long survive this great mortality amongst his brethren. For, having languished about three years under a paralytic disorder, he expired, at Magfield, April 16, A. D. 1366 (45). The pope, at this time, seems to have taken a pride in displaying his contempt of the laws which had been made in England against his provisions, by filling every see that became vacant in that manner. Though the chapter of Canterbury had chosen William Elyndon, bishop of Winchester, to be archbishop, the pope granted a provision to that important station to Simon Langham bishop of Ely, and chancellor of England, who was admitted into it without any opposition (46).

Verfes.

The translation of this prelate gave as much pleasure to the diocese of Ely, as it gave disgust to that of Canterbury. This appears from the following rhyming Latin verses made on that occasion:

Exultant cæli, quia Simon transit ab Ely,  
Ad ejus adventum, fient in Kent milia centum (47).

Arch-  
bishop  
Langham's  
resignation.

Archbishop Langham had not much comfort in his promotion, and did not enjoy it long. The pope raised him to the dignity of a cardinal; and he imprudently accepted of that dignity without consulting the king; who was so much offended at his presumption, that he seized the temporalities of his see. Being much dispirited by the king's displeasure, he resigned his archbishopric November 28, A. D. 1368, and retired to Avignon, where he died A. D. 1378 (48).

(43) *Anglia Sacra*, t. i. p. 652.

(44) *Id. ibid.* p. 46.

(47) *Id. ibid.* p. 47.

(45) *Id. ibid.* p. 45.

(46) *Id. ibid.* t. i. p. 46.

(48) *Id. ibid.* p. 47, 48, 120.



On the resignation of archbishop Langham, William Wittlesey bishop of London was promoted to the primacy by a papal provision. About this time almost all the great places of power and profit in the kingdom were filled by clergymen; which gave so much umbrage to the commons, as well as temporal lords, that they presented a petition to the king, in a parliament held at Westminster A. D. 1371, representing, “That the government of the kingdom had for a long time been managed by men of the church, whereby many mischiefes and damages had happened in time heretofore, to the disherison of the crown, and to the great prejudice of the kingdom;”—and praying,—“That it would therefore please the king, that laymen, and no others, might for the future be made chancellor, treasurer, clerk of the privy seal, barons of the exchequer, comptroller, or other great officers and governors of the kingdom.” But to this petition the king returned the following answer, which implied a refusal: “He would do in this point what seemed best to him by the advice of his council (49).”

All the applications that had been made to the court of Rome, and all the laws that had been enacted in England against the papal provisions and reservations, had produced little or no effect. The pope still continued to bestow many of the best benefices of the kingdom upon foreigners by his provisions, with as little ceremony as if no such applications had been made, and no such laws had existed. In order to know the full extent of this grievance, the king sent his writs to all the bishops, A. D. 1374, requiring them to return certificates into chancery of all the benefices in their respective dioceses that were in the possession of Italians, and other foreigners (50).

Archbishop Wittlesey, after a very tedious illness, died in summer A. D. 1374 (51). Soon after his death the monks of Canterbury re-elected their former archbishop, cardinal Langham, who was still alive, and resided at Avignon (52). The king, greatly offended at this choice,

Cent. XIV.  
Wittlesey  
primate.

King's  
writs to the  
bishops.

Simon  
Sudbury  
primate.

(49) Parliamentary Hist. vol. i. p. 309, 310.

(50) Fox's Acts and Monuments.

(51) Anglia Sacra, tom. 2. p. 120.

(52) Id. b'di.

Cent. XIV. applied to the pope; who, at his request, translated Simon Sudbury from the see of London to that of Canterbury, by a bull, dated 11th May A. D. 1375 (53). By such imprudent applications to the court of Rome, in consequence of disputes at home, the power of the pope was confirmed, and all attempts to diminish it were defeated.

Extortions  
of the  
pope.

It was probably from the information they had received from the returns of the bishops to the above-mentioned writs, that the Commons in parliament, A. D. 1376, presented a very strong remonstrance to the king, against the intolerable extortions of the court of Rome. In this remonstrance it is affirmed, though it must be confessed it is hardly credible, "That the taxes paid to the pope  
" yearly out of England, amounted to five times as much  
" as the taxes paid to the king (54).

John  
Wickliff  
attempts a  
reformation  
of the  
church.

The insatiable avarice, and insupportable tyranny, of the court of Rome, had given such universal disgust, that a bold attack made about this time on the authority of that court, and doctrines of that church, was, at first, more successful than could have been expected, in that dark superstitious age. This attack was made by the famous Dr. John Wickliff, who was one of the best and most learned men of the age in which he flourished. His reputation for learning, piety, and virtue was so great, that archbishop Islip appointed him the first warden of Canterbury college in Oxford, A. D. 1365 (55). His lectures in divinity which he read in that university were much admired, though in these lectures he treated the clergy, and particularly the mendicant friars, with no little freedom and severity. A discourse which he published against the pope's demand of homage and tribute from Edward III. for the kingdom of England, recommended him so much to that prince, that he bestowed upon him several benefices, and employed him in several embassies (56). In one of these embassies to the court of Rome, A. D. 1374, he discovered so many of the corruptions of that court, and of the errors of that church, that he became more bold and more severe in his censures of those errors and corruptions. He even proceeded so far, as to

(53) *Anglia Sacra*, tom. 2. p. 120.

(54) *Cotton's Abridg.* p. 128.

(55) *Collier's Church Hist.* App. No. 47.

(56) *Biographia Britannica*, p. 1260.

call the pope antichrist, to deny his supremacy, and to expose his intolerable tyranny and extortions in the strongest colours. This, as might naturally have been expected, drew upon him the indignation of his holiness, and involved him in various troubles. Pope Gregory XI. published several thundering bulls against him, A. D. 1377, commanding him to be seized, imprisoned, and brought to trial, for his damnable heresies (57). The affection of the people, and the favour of the court, protected him from imprisonment; but he found it necessary to appear before Simon Sudbury archbishop of Canterbury, and William Courtney bishop of London, who had been appointed his judges by the pope. At this appearance he had the honour to be accompanied by two of the greatest men in the kingdom, John of Gaunt duke of Lancaster, and lord Henry Percy marshal of England. These two lords demanded a chair for Dr. Wickliff; which being denied by the bishop of London, some very angry words passed between that prelate and the duke of Lancaster; which excited so violent a tumult in the court, that it broke up in great confusion, without doing any business. Dr. Wickliff made a second appearance before the papal commissioners at Lambeth, where he was attended by so great a body of the citizens of London, that his judges were deterred from pronouncing any sentence against him; and their commission soon after terminated by the death of the pope, March 27, A. D. 1378 (58).

It is very difficult to discover, with certainty and precision, what were the real sentiments, in some particulars, of this illustrious champion of truth and liberty, against the errors and tyranny of the church of Rome; because he seems, in some things, to have changed his mind; and because certain tenets were imputed to him by his adversaries which he did not hold. It is not possible, for example, to believe that so wise and good a man as Wickliff could maintain so impious an absurdity as this, "That God ought to obey the devil;" and yet this was imputed to him by his enemies (59). Upon the whole, it very plainly appears from his writings, that the doctrines which he taught were very nearly the same

His doctrines.

(57) Walsing. p. 201—204.

(58) Id. p. 205.

(59) Hen. Knyghton, col. 2648.

Cent. XIV. with those which were propagated by our more successful reformers in the sixteenth century.

Council of  
London under arch-  
bishop  
Courtney.

The prosecution against Dr. Wickliff was suspended for some time, by the schism in the papacy which succeeded the death of Gregory XI. and by the insurrection of the commons in England, which threw all things into confusion. In this tumult, archbishop Sudbury, one of his most zealous adversaries, was beheaded by the insurgents on Tower-hill, June 14, A. D. 1381. William Courtney, bishop of London, was promoted to the primacy by a bull of pope Urban VI. (who had been acknowledged in England to be the lawful pope), dated the 8th of September the same year (60). As soon as the insurrection of the commons was quelled, and the public tranquillity restored, the new primate applied with great zeal to the suppression of the heretical opinions (as he esteemed them) which were propagated by Wickliff and his followers. With this view, he assembled a council of the bishops of his province, and many doctors of divinity, and of the civil and canon law, in the priory of the preaching friars, London, May 17, A. D. 1382. Before this council he laid twenty-four opinions, extracted from the writings of Wickliff, for their examination; and the council unanimously declared ten of these opinions heretical, and fourteen of them erroneous. Several suspected persons were then brought before the council, particularly Nicolas Hereford and Philip Rapyngdon, doctors in divinity, and John Ayshton, A. M. and commanded to declare their sentiments of these opinions. Their declarations appearing to the council evasive and unsatisfactory, they were pronounced to be convicted of heresy (61). The ancient historian Henry Knyghton relates, that Dr. Wickliff was brought before this council, and that he made a kind of recantation of his heretical opinions (62). But as nothing of this appears in the record, it is probably a mistake, if not a calumny. On the day after the conclusion of this council, there was a solemn procession in London; after which Dr. Kinygham, a Carmelite friar, preached to the people, and published the doctrines which had been condemned; declaring,

(60) *Anglia Sacra*, t. 2. p. 121.

(61) *Spelman Concil.* t. 2. p. 629—636.

(62) *H. Knyghton*, col. 2649.



That all persons who taught, favoured, or believed, any of these doctrines, were excommunicated heretics (63). Cent. XIV.  
 To give the greater weight to the decrees of this council, the clergy prevailed upon the king to publish a proclamation, July 12, authorising and commanding the bishops to seize and imprison all persons who were suspected of holding any of the doctrines which had been condemned (64).

The doctrines of Wickliff had for some years made a mighty noise in the university of Oxford, where they were first published, and where they had many violent opposers, and many zealous advocates. Dr. Berton, who was chancellor of the university A. D. 1381, and Dr. Stokes, were at the head of the former, and Dr. Hereford and Dr. Rapyngdon at the head of the latter. The archbishop of Canterbury sent the decrees of his late council to Oxford, commanding Dr. Stokes to publish them at St. Frideswyde's church, on Corpus-Christi day; and Dr. Rigge, the chancellor of the university, to assist and protect him in performing that office. Dr. Philip Rapyngdon had been appointed to preach at that church on that day, and declaimed with great vehemence against the corruptions of the church, and in defence of the doctrines of Wickliff; and his sermon was heard with approbation. But when Dr. Stokes attempted to publish the decrees of the council of London, he was interrupted with clamours and reproaches; which obliged him to desist, without having received any countenance or protection from the chancellor or proctors, who were secret favourers of the new opinions. For this negligence they were summoned to appear before archbishop Courtney, who treated them very roughly, and by threats prevailed upon them to return to Oxford, and to publish the decrees of the council of London, both in Latin and English, first in St. Mary's church, and afterwards in the schools (65).

While the doctrines of Wickliff were propagated and opposed with so much zeal, at Oxford and other places, he (being in a declining state of health) resided, during the two last years of his life, at his living of Lutterworth in Leicestershire, employed in finishing his translation Death of Wickliff.

(63) H. Knyghton, col. 2652.

(64) Spelman Coacil. t. 2. p. 628.

(65) A. Wood, Hist. Oxon. p. 190—192.

Cent. XIV. of the Bible, and other works. Being seized with a stroke of the palsy, which deprived him of his speech, December 28, A. D. 1384, he expired on the last day of that year. As the clergy had hated and persecuted him with great violence during his life, they exulted with indecent joy at his disease and death, ascribing them to the immediate vengeance of Heaven for his heresy. “ On the day of St. Thomas the Martyr, archbishop of Canterbury (says Walsingham, a contemporary historian), that limb of the devil, enemy of the church, deceiver of the people, idol of heretics, mirror of hypocrites, author of schism, sower of hatred, and inventor of lies, John Wickliff, was, by the immediate judgment of God, suddenly struck with a palsy, which seized all the members of his body, when he was ready (as they say) to vomit forth his blasphemies against the blessed St. Thomas, in a sermon which he had prepared to preach that day (66).” But these reproaches do honour to his memory, as they were brought upon him by his vigorous efforts to deliver his countrymen from the errors, superstitions, and extortions, of the church of Rome.

Great success of the preachers of his doctrines.

Though the joy of the clergy at the death of Dr. Wickliff was very great, it was not of long duration. They soon found, that his doctrines had not died with him, but were propagated with great zeal, and no little success, by his followers, who were commonly called *Lollards* (67). Many of those who were preachers travelled up and down the country on foot, in a very plain dress, declaiming with great vehemence against the corruptions of the church and the vices of the clergy. These preachers were not only admired and followed by the common people, but were favoured and protected by several persons of high rank and great power, particularly by the duke of Lancaster, the lords Percy, Latimer, Clifford, Hilton, and others (68). By the zeal, activity, and eloquence, of the preachers, under the protection of these great men, the new doctrines, as they were called, gained ground so fast, that, as a contemporary historian of the best credit affirms, “ more than one half of the

(66) T. Walsing. Hist. Angl. p. 312.

(67) Hen. Knyghton, col. 2663.

(68) Id. col. 2661.

“ people

“ people of England, in a few years, became Lol-  
 “ lards (69) ” The same historian, who was a clergy- Cent. XIV.  
 man, and a most inveterate enemy to the Lollards, ac-  
 knowledges, that as Wickliff excelled all the learned men  
 of his age in disputation, so some of his followers, in a  
 very little time, became very eloquent preachers and  
 very powerful disputants ; which he ascribes to the assist-  
 ance of the devil, who, he says, took possession of them  
 as soon as they became Lollards (70).

The clergy, alarmed and enraged at this rapid progress  
 of the new opinions, attempted to put a stop to it by vio-  
 lence and persecution, which have been often employed  
 by power against truth. They procured, or at least promul-  
 gated, a statute, which still appears in our statute-  
 book (though the commons, it is said, never gave their  
 assent to it), empowering and commanding all sheriffs to  
 seize and imprison all preachers of heresy (71). They  
 also prevailed upon the king, A. D. 1387, to grant a  
 commission to certain persons to seize all the books and  
 writings of John Wickliff, Nicolas Hereford, John Aysht-  
 on, and other heretical writers, and to imprison all who  
 transcribed, sold, bought, or concealed such books (72).  
 By these methods the clergy hoped to interrupt the preach-  
 ing and writing of the reforming teachers, by which they  
 chiefly propagated their opinions. But the contemporary  
 historian Knyghton observes, with regret, “ that these  
 “ laws and edicts were but slowly and faintly executed,  
 “ because the time of correction was not yet come (73).”

Though the violent factions amongst the nobility,  
 and the general animosity of the laity against the clergy,  
 on account of their excessive power and riches, prevented  
 for a time the rigorous execution of the penal statutes  
 against heretics ; several persons were apprehended and  
 tried upon these statutes. Some of them, as particularly  
 Hereford, Ayshton, and Rapyngdon, who had been the  
 most zealous propagators of Wickliff's doctrines, were,  
 by threats and promises, prevailed upon to make a kind  
 of recantation, and to desist from preaching these doc-  
 trines (74). Others escaped with slight censures, by giv-

Several  
 persons tri-  
 ed for  
 heresy.

(69) Hen. Knyghton, col. 2664.

(70) Hen. Knyghton, col. 2664.

(71) Ruffhead's Statutes at large, vol. 1. p. 358.

(72) H. Knyghton, col. 2708, 2709. (73) id. col. 2708.

(74) H. Knyghton, col. 2657, &c.

**Cent. XIV.** ing artful, evasive explanations of their tenets. In general it may be observed, that the followers of Wickliff were not very ambitious of the crown of martyrdom ; and none of them were capitally punished in the reign of Richard II (75).

**Statute of  
premu-  
nure.**

In spite of all the laws that had been made in England against the tyrannical usurpations of the court of Rome, they still continued, or rather increased. When a clerk had obtained a sentence in favour of his presentation to a church in the king's court, and the bishop of the diocese had inducted him in consequence of that sentence, it was usual for the pope, on the complaint of the losing party, to excommunicate the bishop. When an English bishop had by any means offended his holiness, he sometimes punished him, by translating him to a foreign see, without his own consent, or that of the king. Upon a complaint of these papal usurpations by the commons, in a parliament at Winchester, A. D. 1392, a very severe law was made for the punishment of those who solicited, or brought into the kingdom, any papal bulls of excommunication, translation, or other thing against the rights and dignity of the crown (76).

**Remon-  
strance of  
the Loll-  
ards to  
parlia-  
ment.**

These contests between the king and parliament of England and the court of Rome, encouraged the Lollards to make bold and direct attacks on the established church. Accordingly, they presented to a parliament which was held by the duke of York (the king being in Ireland), at Westminster, A. D. 1394, a remonstrance containing twelve articles of complaint against the church and clergy ; praying for redress and reformation. In this remonstrance, they complain chiefly of the exorbitant power, excessive wealth, and profligate lives of the clergy, which last they ascribe chiefly to their vows of celibacy ;—of transubstantiation, and the superstitious practices which the belief of it produced ;—of prayers for the dead ;—of the worship of images ;—of pilgrimages ;—of auricular confession, and its consequences ;—and of several other particulars in which the present protestant churches differ from the church of Rome (77). What reception this remonstrance met with from the parliament, we are not informed.

(75) Fox's Acts and Monuments, p. 436.

(76) Russell's Statutes, vol. 1. p. 406.

(77) Collier's Ecclesiast. Hist. vol. 1. p. 598.



About the same time the Lollards published several satirical papers, painting the deceitful arts, abominable vices, and absurd opinions, of the clergy in very strong colours; which excited both the contempt and hatred of the people against them. Some of these papers, written with much asperity, and no little wit, were pasted up on the most public places in London and Westminster (78).

The clergy were so much alarmed at these bold attacks, that they dispatched the archbishop of York, the bishop of London, and several other commissioners, to the king in Ireland, to entreat him to return immediately into England, to protect the church, which was in danger of destruction. “As soon (says a contemporary historian) as the king heard the representation of the commissioners, being inspired with the Divine Spirit, he hastened into England, thinking it more necessary to defend the church than to conquer kingdoms (79).” On his arrival, he called before him the lords Clifford, Latimer, Montague, and other great men who favoured the Lollards, and threatened them with immediate death, if they gave any further encouragement to heretical preachers. Intimidated by these threats, they complied with the king’s desire, and withdrew their protection.

Several of the Lollard preachers, discouraged by this defection of their patrons, soon after recanted their opinions, and returned into the bosom of the church. Thomas Arundel archbishop of York, who was a most violent enemy to the Lollards, obliged those in his province who recanted to take the following curious oath, which I shall give in the original language and spelling: “I —, before you, worshipful father and lord archbishop of Yhork, and your clergy, with my free will and full avysed, swere to God and to all his seyntes, upon this holy gospel, that fro this day forthword, I shall worship images, with praying and offering unto them, in the worship of the saints, that they be made after; and also, I shall never more despise pylgremage, ne states of holy chyrche, in no degre. And also I shall be buxum to the laws of holy chyrche, and to yhowe as to myn archbishop, and myn other ordinaries and curates, and

The king  
returns  
from Ire-  
land to  
protect the  
church.

(78) Fox's Acts and Monuments, p. 462, &c. T. Walling p. 351.

(79) T. Walling. p. 351.

Cent. XIV. “ keep the laws up my power and meynテイン them. And  
 “ also, I shall never more meynテイン, ne techen, ne de-  
 “ fenden, errors, conclusions, ne techeng of the Lollards,  
 “ ne swych conclusions and techengs that men clopeth  
 “ Lollards doctrine; ne shall her books, ne swych books,  
 “ ne hem or ony suspect or diffamed of Lollardary, re-  
 “ ceive or company with all, willingly, or defend in tho  
 “ matters; and if I know any swych, I shall, with all the  
 “ hast that I may, do yhowe, or els your nex officers, to  
 “ wyten, and of ther bokes (80), &c.”

Archbishop  
Arundel  
banished.

When the affairs of the church were in this posture, and that reformation which had been begun by Doctor Wickliff had received this severe check, William Courtney archbishop of Canterbury died July 31, A. D. 1396, and was succeeded by Thomas Arundel archbishop of York. As this prelate had long been the most active adversary of the Lollards, he soon discovered by his conduct, that he designed to employ against them all the additional power he had acquired by his promotion to the primacy (81). But before he had time to execute this design, he was involved in troubles which deprived him of all his power. These troubles proceeded from his having been one of that party of the nobles and clergy, which A. D. 1386 obtained a commission from parliament, investing them with the whole power of the state. By one of those revolutions which are not uncommon in the English history, that party were now overturned, and prosecuted with great severity, for obtaining and executing that commission. The archbishop, and his brother the earl of Arundel, were tried by their peers in parliament, in September A. D. 1397, and found guilty of high treason; in consequence of which, the earl was beheaded, and the archbishop deprived, and banished (82).

Roger  
Walden  
primate.

After the departure of archbishop Arundel out of the kingdom, Roger Walden, treasurer of England, was promoted to the primacy, and installed March 25, A. D. 1398 (83). The pope having gratified the king, by withdrawing his favour from Arundel, consenting to the promotion of Walden, and granting a bull confirming all the transactions of the late parliament, thought it a pro-

(80) Collier's Ecclesiastical Hist. vol. i. p. 599.

(81) A. Wood, Hist. Univers. Oxon. p. 199.

(82) Parliament. Hist. vol. i. p. 464. See. (83) T. Walsing. p. 354.

per time to apply for the repeal of the statutes of provi-  
visors and premunire, which set some bounds to his power in England. To solicit this affair, he sent a legate to the king, who was received with great respect, and loaded with presents, but could not obtain the repeal of the offensive statutes (84). The ecclesiastical transactions of archbishop Walden are not well known, and could not be very important; for those troubles which commenced A. D. 1399, terminated in his deprivation, and the restoration of the exiled primate, before the end of that year.

The history of the church of Scotland in the fourteenth century hath been ill preserved, owing to the unsettled and unhappy state of that country in that period. William Frazer bishop of St. Andrew's having died in France, A. D. 1297, he was succeeded by William Lamberton parson of Campsie, and chancellor of the church of Glasgow. The pope sent a bull to all the bishops of Scotland, A. D. 1302, complaining, that they stirred up the people under their charge to war against the king of England; and commanding them to promote peace (85). This papal mandate was little regarded by the Scotch prelates, particularly by those of St. Andrew's and Glasgow, who having been taken were committed to prison by Edward I. A. D. 1306 (86). That prince complained to the pope of these two bishops, accusing them of having stirred up the people of Scotland to rebel against him (87). After bishop Lamberton had been confined in England above two years, having taken an oath of fealty to Edward II. he was set at liberty, and returned into Scotland, A. D. 1308 (88). This prelate seems to have paid no regard to the oath of fealty which he had taken to the king of England, after he was set at liberty; for he presided in a general assembly of the bishops, abbots, priors, and clergy, of Scotland, in which the right of king Robert Bruce to the crown was asserted in the strongest terms, at Dundee, 24th February A. D. 1309 (89). Towards the end of that year we find him employed, at the abbey of Holyroodhouse, near Edinburgh, in collecting evidence

(84) T. Walling. p. 226.

(85) Rymer Fœd. t. 2. p. 905.

(86) Rymer Fœd. t. 2. p. 1016.

(87) Id. Ibid.

(88) Id. vol. 3. p. 118, 119.

(89) W. R. R. Codon. t. 2. p. 302. Sec.

**Cent. XIV.** against the knights-templars, in conjunction with John de Soleres, the pope's legate (90). Not long after this he seems to have returned to the party, and to have regained the favour, of the king of England. For that prince wrote a letter to the pope, dated at Berwick, 24th July A. D. 1311, earnestly intreating his holiness not to insist on the attendance of William bishop of St. Andrew's in the council of Vienne, because the residence of that prelate in Scotland was absolutely necessary to support his authority in that country (91). Bishop Lamberton continued in the English interest till after the battle of Bannockburn, and the firm establishment of Robert Bruce on the throne of Scotland, when he made his peace with that prince. This excited the most violent resentment in king Edward, who wrote a letter to the pope, dated at Westminster, July 1, A. D. 1318, in which he painted the bishop of St. Andrew's in the blackest colours, as an impious traitor, who had violated the most solemn oaths (92). This prelate was a benefactor to his see, built several churches, finished and consecrated his cathedral, and died A. D. 1328 (93).

Wihart  
bishop of  
Glasgow.

Robert Wihart, bishop of Glasgow from A. D. 1272 to A. D. 1316, was a more steady patriot, and more zealous assertor of the independency of his country, than his brother and contemporary bishop Lamberton. This involved him in many troubles, particularly in a long imprisonment in England, from which he was not delivered till after the battle of Bannockburn, when he was exchanged for some of the English nobles taken in that action (94).

Bishop  
Bane.

James Bennet or Bane, archdeacon of St. Andrew's, succeeded bishop Lamberton in the primacy of Scotland; and being in that high station, he crowned David II. A. D. 1329. When Edward Baliol recovered the crown of Scotland, this prelate continued faithful to king David, and retired into Flanders, where he died at Bruges, 22d September A. D. 1332 (95).

Bishop  
Landells.

The public affairs of Scotland being very unsettled at this time, and a dispute having arisen about the succession

(90) Wilkin. Concil. t. 2. p. 380.

(91) Rymeri Fœd. t. 3. p. 274.

(92) Id. ibid. p. 710.

(93) Keith's Catalogue of the Bishops of Scotland, p. 15.

(94) Rymeri Fœd. t. 3. p. 489.

(95) Keith's Catalogue, p. 15.



to the see of St. Andrew's, it continued vacant about nine Cent. XIV.  
 years, when William Landells, provost of Kinkell, was  
 promoted to it, and consecrated by the pope at Avignon A. D. 1341. This prelate enjoyed his promotion no  
 less than forty-four years; and having a good paternal estate, he lived with great magnificence and hospitality (96).  
 He appears to have been much engaged in the civil and  
 political transactions of those turbulent times in which he  
 flourished; and in particular he was the first commissioner  
 for Scotland in the tedious negotiations for the delivery  
 of king David II. from his captivity in England (97).  
 Bishop Landells procured for himself and the clergy of  
 Scotland the privilege of disposing of their personal estates  
 by testament; which, it seems, they had not enjoyed before  
 his time (98). He died at St. Andrew's, 15th October  
 A. D. 1385 (99).

Stephen de Pay, prior of St. Andrew's, was elected to Stephen.  
 be bishop of that see; but being taken prisoner by the  
 English in his passage to the papal court, he died at Alnwick,  
 in March A. D. 1386 (100).

Robert Trail, doctor of the civil and canon laws, was Bishop Trail.  
 promoted to the primacy of Scotland by the pope, who  
 paid him some very high, but not unmerited, compliments  
 on that occasion. This prelate had the chief direction  
 both of the civil and ecclesiastical affairs of the  
 kingdom, which he conducted with equal wisdom and  
 felicity. He was so rigid and severe (says a contemporary  
 historian) in the exercise of church-discipline, that no  
 clergyman in his diocese dared to keep a concubine publicly  
 (101). He built the castle of St. Andrew's, in  
 which he died A. D. 1401.

There were twelve bishoprics in Scotland in this period,  
 besides that of St. Andrew's; which were those of Glasgow,  
 Dunkeld, Aberdeen, Moray, Brechin, Dunblane,  
 Ross, Caithness, Orkney, Galloway, Argyle, and the  
 Isles. But a particular detail of the several prelates of  
 these sees would be more tedious than instructive (102).

(96) Keith's Catalogue, p. 16.

(97) Rymeri Fœd. t. 3. p. 632. 711. 736.

(98) Spottiswoode, p. 55.

(99) Fordun, t. 1. p. 364.

(100) Keith's Catalogue, p. 17.

(101) Fordun, t. 1. p. 364.

(102) See Keith's Catalogue of the Bishops of the several Sees within Scotland.

Cent. XIV. { The doctrines of Wickliff, which made so much noise in England, seem to have been little known or regarded in Scotland in the fourteenth century. This was probably owing to the violent animosities and frequent wars which then subsisted between these two kingdoms.

THE

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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N.

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B O O K IV.

C H A P. III.

*History of the Constitution, Government, and Laws of Great Britain, from the death of king John, A. D. 1216, to the accession of Henry IV. A. D. 1399.*

THE constitution, government, and laws of Britain, have been formed upon various plans, and have passed through various changes, in their progress towards that high degree of excellence and stability to which they have happily attained. The plans of the British, Roman, Saxon, and Norman governments have been delineated, and a general view of their several systems of laws and political arrangements hath been given, in the former volumes of this work (1).

Various plans of government.

That plan of government and system of laws, commonly called the *feudal system*, which was established in England by the Normans, soon after their settlement in that part of this island, and gradually introduced into the other British states, continued to form the political constitution.

General plan of the constitution the same as this as in the former period.

(1) See vol. 1.—vol. 2.—vol. 3.

tution of all these states through the whole of our present period; but not without various changes in its several parts. Some of these changes, produced by faction and party-rage, were very great, but of short duration; others, which were the result of experience, and of the change of circumstances, were not so violent, but more permanent. Referring the reader to the third chapter of the third book of this work, for the general plan of the Anglo-Norman constitution, government, and laws, both at their first introduction, and as they stood at the conclusion of the former period, I shall endeavour in this chapter to point out the principal changes that were made in these important objects in the course of our present period. In doing this, the greatest sincerity, brevity, and plainness, shall be studied.

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## SECTION I.

*Changes in the Constitution, Government, and Laws of Britain, in the reign of Henry III. from A. D. 1216 to A. D. 1272.*

History of  
the Great  
Charters.

THE Great Charter granted by king John towards the conclusion of the former period, contains a very distinct and authentic plan of the English constitution, as it stood at that time; at least in speculation. As soon as this great charter was obtained, it became the idol of the people of England, who esteemed it the great security of their most valuable rights and liberties. But it was not viewed with the same favourable eyes by those who had the administration of government in their hands, who were very backward in executing its most important articles. This produced frequent and earnest cries for the execution and confirmation of that famous charter; and these cries were effectual when the king and his ministers stood in particular need of the favour and assistance of the people, who commonly paid for these confirmations by liberal grants of money. Accordingly, the Great Char-

ter



ter was confirmed (with some variations, occasioned by the change of circumstances) no less than seven times in the reign of Henry III. and some of these confirmations were attended with very great solemnities (2). In the second year of this reign, A. D. 1217, the articles respecting the royal forests were left out of the Great Charter, which was then confirmed, and formed into a separate charter, called *Charta de Foresta*; and these two charters after this were always separated (3). It would be tedious to give a minute detail of all the variations of the Great Charters of Henry III. from that of king John; but the reader may satisfy himself on this subject, by comparing the charters granted by Henry III. A. D. 1224, inserted in the Appendix to this volume, with that granted by king John, in the Appendix at the end of the third volume (4).

Some changes were made in the ranks and orders of men in society, in the reign of Henry III. Those in the lowest rank were still in the same wretched state of servitude as formerly. Of this we have sufficient evidence in the Great Charters of that prince, in which those who had the custody of the estates of minors are prohibited from destroying or wasting the men or cattle upon these estates, placing both on the same footing (5). According to Bracton the famous lawyer, who flourished in this reign, all the goods a slave acquired belonged to his master, who might take them from him whenever he pleased (6). Slaves were still an article of commerce, even in the next reign. “In the same year, 1283 (say the Annals of Dunstaple), we sold our slave by birth, William Pyke, and all his family, and received one mark from the buyer (7).” But there were different orders of slaves, and different degrees of servitude, in this, as well as in the preceding period (8). The next rank in society consisted of farmers, mechanics, and traders who were freemen, but were either not proprietors of land, or only of small parcels. The yeomanry and capital burgesses in great towns, considered themselves as

(2) See Judge Blackstone's most accurate History of the Charters, in his Law-tracts, vol. 2. p. 43—91.

(3) Id. ibid. p. 63.

(5) Append. No. 1.

(7) Annual. Dunstap. an. 1283.

(4) Append. No. 1, 2.

(6) Bracton, l. 1. c. 9. p. 6.

(8) Bracton, p. 7.

of a rank superior to the former. The distinction between the nobility and gentry began to be conspicuous in this reign. Anciently, all who held of the crown *in capite* were esteemed noble, and formed one order; but the great inequality of the power and wealth among the members of this order, laid the foundation of a division of them into the greater and smaller barons. This division became plain, when they began to be summoned to parliament in different ways, the greater barons by a particular summons directed to each of them, and the smaller by a general summons to those in each county. But even after this, they for some time formed only one assembly, and mingled together as persons of the same rank, when they appeared in parliament. The division became more conspicuous after the establishment of the house of commons, when the smaller barons and freeholders no longer mingled with the greater, and were no longer their peers, nor appeared in parliament each in his own right, but only as representatives.

Constitution of parliament at the end of the last period.

Nothing can be better ascertained, or more clearly defined, than the constitution of the parliament of England when the great charter was granted by king John at the end of our last period. The members who composed that assembly, the manner in which they were summoned, with several other particulars, are thus described in that charter: "To have a common council of the kingdom, to assess an aid, otherwise than in the three foregoing cases, or to assess a scutage, we will cause to be summoned the archbishops, bishops, earls, and greater barons, personally, by our letters; and besides we will cause to be summoned in general by our sheriffs and bailiffs, all those who hold of us in chief, to a certain day, at the distance of forty days at least, and to a certain place; and in all the letters of summons, we will express the cause of the summons; and the summons being thus made, the business shall go on at the day appointed, according to the advice of those who shall be present, although all who had been summoned have not come (9)."

No change seems to have been made in the constitution of the parliament of England in the former part of the

(9) See vol. 3.—Append. No. 1.—No. 2.

reign of Henry III. as appears from the descriptions given of these assemblies by Matthew Paris, the best contemporary historian (10). It would be tedious to introduce all these descriptions, which (though they differ a little in words, some of them being more general, others more particular) are all to the same import. When the members are described in general, it is commonly in such words as these:—*Magnates Angliæ, tam laici quam prelati*, “—The great men of England, both of the laity and “clergy (11).” The following is the most particular description of the members of a parliament (held at London A. D. 1237) to be found in this historian: “The king “immediately sent his royal writs into all parts of England, “summoning all concerned in the kingdom of England, “viz. all archbishops, bishops, abbots, installed priors, “earls, barons, and all others without omission (12).” By this last expression, *all others without omission*, we are certainly to understand those who are thus described in the great charter, *all those who hold of us in chief*; who were summoned in general by the sheriffs. For all the members of this parliament are afterwards called *magnates et nobiles*, “great men and nobles,” of whom, the historian says, “an infinite multitude came to London (13).” The members of a parliament which met at Westminster A. D. 1244, are thus described:— “The archbishop of York, and all the bishops, abbots, “and priors of England, by themselves, or their procurators, and also all the earls, and almost all the “barons of England (14).”

The great councils of the kingdom seem to have been constituted according to the plan in the great charter, till the mad parliament, as it was called, which met at Oxford, June 11, A. D. 1258, made a violent change in this, as well as in every other part of the constitution. That party of the barons, headed by Simon de Montfort earl of Leicester, which had long opposed the court, came to this parliament armed, and attended by such numerous retinues, that they were completely masters of the field, and compelled the king to consent to every thing they proposed. Twenty-four great men were in-

Change in  
the constitution of  
parliament.

(10) Mat. Paris, p. 219. col. 1. p. 223. col. 1. p. 252. col. 2. p. 256. col. 1. p. 263. col. 2.

(11) Id. p. 256. col. 1. p. 252. col. 2.

(12) Id. p. 297. col. 2.

(13) Id. *ibid.*

(14) Mat. Paris, p. 393. col. 2.

vested with authority,—to name the king's council, the great officers of the crown, and the governors of the royal castles,—to regulate the king's household,—to manage his revenue,—to make laws,—and, in a word, to do almost whatever they pleased (15). One of the first acts of these twenty-four dictators was a decree, that there should be three parliaments every year, one in February, one in June, and one in October. But these parliaments were to be constituted in a very extraordinary manner, and were to consist only of the members of the king's council, fifteen in number, and twelve barons chosen to represent the whole community. These twelve barons were accordingly chosen by the parliament at Oxford to represent the community in future parliaments; and the record of their election may be thus translated: “These are the twelve which are chosen by the barons to treat at the three parliaments in a year, with the king's council, for all the community of the land, on public business; the bishop of London, the earl of Winchester, the earl of Hereford, Philip Basset, John de Baliol, John de Verdun, John de Gray, Roger de Sumery, Roger de Montalt, Hugh Despenser, Thomas de Gresley, Egidius de Argenton (16).” Whether there were parliaments on this plan in October A.D. 1258, and in February and June in the year following, is uncertain; but it appears that there was one in October A. D. 1259, by which the famous provisions of Oxford, made by the twenty-four barons, were confirmed; for to these provisions or decrees the following confirmation is subjoined: “These are the provisions and decrees made at Westminster after Michaelmas, by the king and his council, and the twelve chosen by the assent of the whole community of England, which were then at Westminster, in the year of the reign of Henry the son of John the fortieth and third (17).” The ostensible reason of this great innovation was, to relieve the community or body of those who had formerly been bound to come to parliaments from the expence and trouble of personal attendance; but the real object of it unquestionably was, to perpetuate the power of the earl of Leicester and his party.

(15) Annal. Monast. Burton, p. 407—413.

(16) *Id.* p. 414.

(17) *Id.* p. 435.



The above plan of parliament could not fail to be unpopular, as it excluded all the small and many of the great barons from the public councils, under the specious pretence of relieving them from expence and trouble. It was therefore soon laid aside, and another of a more comprehensive nature, and nearer to the ancient model, substituted in its place, by the same party. After the earl of Leicester and his partisans had obtained the victory in the battle of Lewes, May 14, A. D. 1264, and had got the king, prince Edward, Richard king of the Romans, and his son Henry, into their hands, they were at great pains to obtain the public approbation of their schemes for establishing their own power on the ruins of the royal authority. With this view, they obliged the king to call a parliament, constituted in a different manner from that prescribed in the great charter, or in their own former plan. To this famous parliament, which was to meet at London, January 20, A. D. 1265, only eleven bishops, five earls, and eighteen great barons, all of the predominant party, were summoned by particular writs (18). But to supply the places of the prelates, earls, and barons, of the royal party, who were not summoned, particular writs were directed to sixty-four abbots, thirty-seven priors, and five deans (19). This very remarkable circumstance was probably owing to the high degree of favour in which the earl of Leicester stood with the clergy, who considered him as a saint and champion of the church (20). Writs were also sent to all the sheriffs in England, commanding them to cause two of the most discreet knights of each county to come to this parliament. Similar writs were directed to the citizens of several cities, and burghesses of several burghs, requiring each city to send two of its most discreet and honest citizens, and each burgh two of its most wise and upright burghesses (21). Each of the cinque-ports was commanded to send two of its barons. In what manner these knights, citizens, burghesses, and barons, of the cinque-ports, were chosen, we have no account. But as they appeared as the representatives of those by whom they were sent, their expences were to be borne by their constituents (22). We have no hint in any of our historians,

Another  
change in  
the constitution  
of  
parliament.

(18) Dugdale's Summons to Parliament, p. 1, 2.

(20) Chron. Melres, p. 228.

(22) Brady's Introduction, &c. p. 140, 141.

(19) Id. p. 2, 3.

(21) Dugdale, p. 3.

that this parliament was divided into two houses. With whatever views this plan was formed, it was a near and happy approach to that system which hath been established in England above five hundred years: a degree of antiquity to which few political arrangements can pretend.

Statute  
law.

Though Henry III. was certainly neither a very great nor wise king, several good laws were made in his reign, which are still in force, and have a place in the statute-book. By one of these statutes, made at Merton, A. D. 1236, a controversy concerning bastardy, which had long subsisted between the ecclesiastical and civil courts, was finally determined. By the Roman and canon laws, the subsequent marriage of the parents legitimated the children which had been born before that marriage; but by the ancient customs and common laws of England, all children born out of wedlock were still reputed bastards, though their parents afterwards married. All the prelates in the parliament at Merton most earnestly insisted to have the regulation of the canon law, in this particular, adopted into the law of England; but all the temporal barons replied with one voice, "We will not suffer the ancient and approved laws of England to be changed (23)." By another statute made in the parliament at Merton, it is enacted, "That lords who married their wards, before they were fourteen years of age, to villains, or burgessees, to their disparagement, should lose the wardship of their lands (24):" a proof of the contemptible light in which burgessees appeared to the haughty barons of those days, and even to their vassals. The statutes concerning the exchequer, which were made A. D. 1266, are remarkable in several respects. They are the first of our statutes in the French language. This might perhaps be owing to the predilection of the persons who drew up those statutes for that language; which was much better and more generally understood in England at this time than the Latin, in which all the preceding statutes had been penned. By the first statute of the exchequer, several very humane and equitable regulations are made for preventing too

(23) Ruffhead's Statutes, vol. 1. p. 19. Barrington's Observations on the Statutes, p. 99.

(24) Statutes, vol. 1. p. 18.

great severities in collecting the royal revenues. In particular, it is provided, that no man's sheep, or his beasts, which are necessary for the cultivation of his lands, shall be distrained for the king's debt, or for the debt of any other man (25): a laudable attention in the legislature to the promoting of agriculture. The second statute of the exchequer contains several prudent regulations concerning the terms and methods of accounting at the exchequer, and for preventing the king from being defrauded of his revenues, or imposed upon in the price of work done, or things provided for his use (26). The prices of the important articles of bread and ale had been settled by very ancient statutes, in proportion to the prices of grain, to prevent the impositions of bakers and brewers. These laws were confirmed and enforced by the statute of the pillory and tumbrel, which was made in a parliament at Winchester, A. D. 1266; by which, bakers who frequently offended, were to be punished by the pillory, and brewers (who were all women) by the tumbrel, or ducking-stool (27). In the same statute, many wise regulations are made,—for ascertaining the prices of grain,—for examining weights and measures,—for preventing the sale of unwholesome meats and liquors,—and for restraining various arts of imposing upon the people, and raising the prices of provisions. The last statutes in this long reign were made in a parliament at Marlborough A. D. 1267, after the restoration of the royal authority by the victory at Evesham, and were intended to put a stop to many disorders which had prevailed in the late times of anarchy and confusion. These statutes consist of twenty-nine chapters; and contain several good laws,—for restraining the tyranny of the great barons, by facilitating appeals from their courts to those of the king;—for preventing cruelty, in taking distresses; and on some other subjects. By the twenty-third chapter, farmers are prohibited from making waste or sale of the woods or men upon their farms, without special licence in writing (28). In a word, it cannot be denied, that Henry III. appears to greater advantage as a legislator than in any other point of view (29).

(25) Statutes, vol. i. p. 24.

(26) *Id. ibid.* p. 25—28.(27) *Id. ibid.* p. 23. Barrington's Observations, p. 42.

(28) Statutes, vol. i. p. 30—40.

(29) Barrington's Observations, p. 57.

The common as well as the statute law of England received considerable improvements in the reign of Henry III. This will appear evident even from a cursory comparison of the treatise of Glanville, who wrote in the reign of Henry II. with that of Bracton, who wrote in this period. This, we are told by the best authority, is no less evident from the judicial records in the time of Henry III. which are still extant, and in which the pleadings appear more perfect and orderly than in those of the preceding period (30). Several circumstances concurred to promote those improvements in the common law at this time;—particularly, the settlement of the court of common pleas at Westminster;—the retreat of the clergy, who were great enemies to the common law, both from the bench and from the bar, in obedience to a canon made A. D. 1217;—the establishment of the law-colleges, the inns of court for the education of common lawyers;—the decline of trials by ordeals and single combat, which were now much discountenanced;—and the statute subjecting pleaders to a fine for absurd and foolish pleading (31).

Royal prerogatives.

Henry III. was deprived of almost all the prerogatives of his crown by the parliament at Oxford, A. D. 1258, and allowed to retain little or nothing but the name of king. He even continued in that state of depression and insignificance for several years; during which the kingdom was a scene of the greatest misery, the barons of the different parties burning each others houses, and desolating each others lands. But after the fall of the earl of Leicester in the battle of Evesham, A. D. 1265, Henry was restored to the exercise of all his former prerogatives and rights, and the country to its former tranquillity and good order.

Royal revenues.

The revenues of the crown of England flowed from the same sources in this as in the former period, and, with prudent management, were abundantly sufficient for every necessary purpose (32). But Henry III. was a bad œconomist, and dissipated these revenues,—by his expeditions into France,—his vain expensive attempt to procure the kingdom of Sicily for his second son Ed-

(30) Hale's History of the Common Law, ch. 7. p. 156.

(31) Statutes, vol. 1. p. 35. Barrington's Observat. p. 52. Spelman and Wilkin's Council. c. 1217. Rymer, t. 1. p. 228.

(32) See vol. 3. chap. 3. Madox's History of the Exchequer, chap. 10. p. 202.—335. Blackstone's Commentaries, vol. 1. ch. 8.



mund,—and chiefly by his unbounded liberality to his favourites, which involved him in an incredible load of debt, and sunk him into a degree of poverty very unbecoming the royal dignity. This obliged him to make frequent applications to his people in parliament for grants of money that was not due to him by any legal title; which were often refused, and sometimes given. These grants commonly consisted of a tenth, a fifteenth, a twentieth, or some other proportion of the value of their moveable goods. When a tenth or fifteenth was granted by parliament, four knights in each hundred were chosen in the county-court of each county, to act as commissioners for ascertaining the value of the moveables of the inhabitants of their respective hundreds; and according to their valuation the tax was to be levied. On these occasions, no value was set on the books of the clergy, the ornaments of churches, the horses and armour of knights, and the implements of husbandry (33). A fifteenth that was granted both by the clergy and laity, A. D. 1225, produced (as we are told by a contemporary historian) 90,000 marks (34): a very great sum in those times. Henry III. obtained several grants of this kind from his parliaments; but they were commonly given as the price of certain privileges and immunities which they claimed (35). By this means the improvidence of our princes contributed not a little to improve the constitution, to secure the rights, and establish the liberties of their subjects. The Jews in England, who were very numerous and opulent, were frequently fleeced without mercy, and sometimes mortgaged for the payment of the king's debts (36). At one time a tallage of no less than sixty thousand marks was imposed upon the Jews, and exacted with great severity (37).

Upon the whole, though the long reign of Henry III. was unfortunate in several respects, it was not unfavourable to the interests of law and liberty. For in that reign the charters were confirmed;—the statute and common law improved;—the crown, by the great diminution of its hereditary funds, was made more dependent on

(33) Annal. Dunstap. vol. 2. p. 434. Dr. Brady's Append.

(34) M. Paris aditamenta.

(35) Parliament. Hist. vol. 1. p. 78.

(36) Rymer, vol. 1. p. 543.

(37) Madex, Hist. Excheq. p. 152.

the people, and the constitution of the parliament was brought nearer to its present model.

Govern-  
ment, &c.  
of Scotland.

The constitution, government, and laws of Scotland, as far as we are acquainted with them, appear to have been nearly the same with those of England in this period. Alexander II. and his nobles warmly espoused the cause of the English barons, who obtained the great charter from king John, and must therefore have been well acquainted with that famous instrument. The two British nations at no time lived on a more friendly footing, than in the reign of Henry III. owing, in some measure, to the near relation that then subsisted between the two royal families, Alexander II. having married the sister, and his son Alexander III. the daughter, of that prince. This gave occasion to a free and frequent intercourse between the two courts and kingdoms, by which they became acquainted with each other's laws and customs. The parliament of Scotland was constituted exactly according to the plan of the English parliament in the great charter of king John. The laws ascribed to Alexander II. are said to have been made,—“with the counsel and consent of venerable fathers, bishops, abbats, earls, barons, and his gude subjects (38).” By these last we are probably to understand the smaller freeholders, who were summoned in general by the sheriff of each county or shire. There is such a similarity between many of the laws of England and Scotland in this period, as demonstrates, that the one must have been copied from the other. Of this it will be sufficient to give two examples, out of the many that might be given. By the eleventh chapter of the forest-charter of Henry III. it is granted, —“whatsoever archbishop, bishop, earl, or baron, coming to us at our commandment, passing by our forest, it shall be lawful for him to take and kill one or two of our deer, by view of our forrester, if he be present; or else he shall cause one to blow an horn for him, that he seem not to steal our deer; and likewise they shall do returning from us, as it is aforesaid (39).” By the fourteenth chapter of the forest-laws of Scotland, it is enacted,—“All bishops, earles, or barons, cummand to the king, at his

(38) *Regiam Majestatem*, p. 328.

(39) *Statutes*, vol. 1. p. 13.

command,

“ command, and passand be the forest, may lesfumlie  
 “ take ane or twa beasts, at the sight of the forestar, gif  
 “ he be present; otherwaies he may blaw his horne,  
 “ that he appear nocht to do the same theftoufflie; and  
 “ he may do swa as said is returnand hame agane (40).”

By the statute of Henry III. concerning the assize of bread and ale, a baker, for the third offence, is to be set in the pillory, and a brewer is to be punished by the ducking-stool (41). By the twenty-first chapter of the borough-laws of Scotland, it is enacted,—“ Gif any baxter or  
 “ ane browster trespassse thrise, justice shall be done up-  
 “ on them, that is, the baxter shall be put upon the  
 “ pillorie, and the browster upon the cock-stule (42).” Civil causes still continued to be tried by juries in Scotland, as well as in England; and these juries, in both countries, were liable to be tried, and severely punished, for false or unjust verdicts (43). Trials by fire and water ordeals were discountenanced and prohibited by both nations, about the same time; but those by single combat were still frequent. In a word, the laws of both the British states were so much the same in this period, that a distinct delineation of those of the one may serve to convey no very imperfect idea of those of the other.

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## S E C T I O N II.

*Changes in the Constitution, Government, and Laws of Britain, in the reign of Edward I. from A. D. 1272, to A. D. 1307.*

EDWARD I. was illustrious as a general, but more illustrious as a legislator. In the former capacity he had many equals, and some superiors; in the latter he was equalled by few, and excelled by none of the kings of England. For this reason, the changes that were made

(40) Regiam Majestatem, p. 323.

(41) Statutes, vol. I. p. 22.

(42) Regiam Majestatem, p. 229.

(43) Id. ibid. l. c. 12. 14.

in the constitution, government, and laws of his dominions, in his reign, merit our particular attention. To prevent confusion in our views of these important objects, we shall consider the most important changes that were made in this period, 1st, In the constitution of the parliament; 2dly, In the magistrates and courts of justice; 3dly, In the statute-law; 4thly, In the common-law; 5thly, In the prerogatives of the crown; and 6thly, In the royal revenues.

As the parliaments of England have long been the chief guardians of its laws and liberties, its prosperity hath very much depended on the right constitution and proper influence of these august assemblies. Whenever parliaments were discontinued, or deprived of their due degree of power, the people had reason to tremble for their liberties; and, on the other hand, when they exceeded their bounds, and deprived the crown of its just prerogatives, they had no less reason to dread the destruction of the constitution. It is therefore of importance to attend to the various forms and circumstances of these assemblies in every period of our history.

Ancient  
form of par-  
liaments  
restored.

That excellent plan of a parliament which had been introduced by the earl of Leicester and his party, in the 49th of Henry III. seems to have been laid aside, and the ancient model in the great charter of king John restored, in the last years of that prince's reign, and in the first ten years of Edward I. This, at least, appears probable, from the descriptions of these assemblies both in our histories and statutes (1). The fullest and most particular description of their constituent members is to be found in the preamble to the first statutes of Westminster, which were made in a general and full parliament, as it is called, A. D. 1275: "These be the acts of king Edward, son  
" to king Henry, made at Westminster at his first par-  
" liament general after his coronation, on the Monday  
" of Easter Utas, the third year of his reign, by his  
" council, and by the assent of the archbishops, bishops,  
" abbots, priors, earls, barons, and all the commonalty  
" of the realm, being thither summoned (2)." By all the commonalty of the realm we are probably to understand, all who held smaller portions of land than a whole

(1) Statutes, vol. i. p. 30—122. Brady's Introduction, p. 144—149.

(2) Statutes, vol. i. p. 40.



barony of the king *in capite*, who were summoned to parliaments in general by the sheriffs of their respective counties.

Edward I. having completed the conquest of Wales, and taken David, the last of its princes, prisoner, called a parliament to meet at Shrewsbury, September 30, 1283, for the trial of the captive prince and the settlement of the conquered country. This parliament appears to have been constituted according to the plan of that which met at London, January 20, A.D. 1265, commonly called *Leicester's parliament*. It consisted of all the great barons spiritual and temporal, who were summoned by particular writs; of two commissioners chosen by the smaller barons or freeholders of each county, in obedience to precepts directed to the sheriffs for that purpose; and of two commissioners from each of the following twenty-one cities and boroughs, viz. London, Winchester, Newcastle, York, Bristol, Exeter, Lincoln, Canterbury, Carlisle, Norwich, Northampton, Nottingham, Scarborough, Grimesby, Linn, Gloucester, Yarmouth, Hereford, Chester, Shrewsbury, and Worcester (3). What motives determined Edward to adopt this form at this time cannot be discovered with certainty. It is most probable, that the general summons of the smaller freeholders by the sheriff had of late been disregarded, and that few or none of them had attended parliaments, which was too expensive for persons in their circumstances; and that for this reason they were now indulged to appear by representatives, whose expences they bore. This cause afterwards produced a similar regulation in Scotland (4). Soon after this form was introduced, great precautions were taken to secure the attendance of these representatives; and each of them, as soon as he was chosen, was obliged to find three or four persons of credit to be sureties for him that he would attend (5).

After the above form of parliament was revived, it was not strictly adhered to for some time, but several variations took place. The famous parliament which was held at Westminster in the 18th of Edward I. seems

*Leicester's  
plan of par-  
liaments  
revived.*

*Variations  
in the form  
of parlia-  
ments.*

(3) Parliament. Hist. vol. 1. p. 86.

(4) Essays on British Antiquities, essay 2.

(5) Brady's Introduction. p. 153.

to have been differently constituted at different periods. It was composed on the 1st day of June of prelates, earls, barons, and other nobles, who granted the king an aid of forty shillings on every knight's fee (6). On the 14th of the same month the king sent letters to all the sheriffs, acquainting them, that the earls, barons, and some other nobles, had made certain special requisitions, about which he desired to consult with others of the several counties; and desiring each sheriff to cause two or three of the most discreet knights of his county to be chosen and sent to parliament three weeks after Midsummer at farthest (7). We hear of no citizens or burgesses being in this parliament. While the elections of knights were making in the several counties, the parliament continued sitting, and the statutes called *Westminster the third* were made by it on July 8 (8). It doth not appear with certainty, what the affair was about which the king desired to consult the representatives of the counties; but it seems most probable, that it was the banishment of the Jews, which was a great national concern, and took place at this time (9). Some parliaments in this period were called general, and some particular (10). In these last, the king consulted only with such of the great men of the clergy and laity as he thought proper to select. Several of our ancient statutes seem to have been made by these particular parliaments (11). In some of the parliaments of this reign, the smaller barons in each county were represented by two, in some by three, and in some by four commissioners; and the representation of cities and boroughs was still more unsettled (12). We even meet with one parliament in this reign, in which there was not so much as one clergyman; and with another to which not only the archbishops, bishops, abbots, and priors, but even the archdeacons, with a representative of every chapter, and two representatives of the inferior clergy of every diocese, were called (13). In a word, nothing can be more certain than this, that the constitution of the

(6) See the record in Brady's Introduction. p. 149.

(7) Brady's Introduction. p. 149.

(8) Statutes, vol. i. p. 122.

(9) Kewchton, col. 2466.

(10) Statutes, vol. i. p. 401. T. Wykes, p. 112.

(11) Statutes, vol. i. p. 63. 69, &c.

(12) Brady's Introduction. p. 151.

(13) Chron. T. Thorne, col. 196. Brady's Introduction. p. 145.

parliament of England was far from being fixed and uniform in the reign of Edward I. In general, however, we may observe with pleasure, that the frame of these assemblies gradually approached nearer and nearer to that admirable model which hath been so long established, and hath contributed so much to the preservation of our rights and liberties.

This unfettnedness of the form of parliaments gave the crown too great an influence in these assemblies; and some other circumstances still further added to that influence. Great influence of the crown in parliament. As the great barons, in the times we are now delineating, delighted to reside at their castles in the country, and had but little taste for tedious political investigations, the sessions of parliament were commonly very short. This made it necessary to prepare business in such a manner, that it might be dispatched in a little time, and without much expence of thought. With this view, the laws which the king desired to have enacted, were drawn up by the councils or the judges, in the form of statutes, read in parliament, and at once either passed or rejected (14). Several of our ancient statutes bear evident marks of their having been made in this manner (15).

As one great end of parliament was to redress both general and particular grievances, especially such as could not be redressed by any other means, many petitions were presented to every parliament for that purpose. Triers of petitions. To prevent their spending any time in reading and considering trifling or unreasonable petitions, certain persons were appointed by the king, some time before the meeting of a parliament, to be receivers and triers of petitions from the several parts of his dominions. On the first day of the parliament, proclamation was made at the door of the house, and other public places, that all persons who had any petitions to present, should give them in to those who had been appointed to receive them (16). As these receivers and triers of petitions were named by the king, they probably acted under his direction; and they seem to have borne a very great resemblance to the lords of the articles in the parliament of Scotland (17).

(14) Hale's Hist. Common Law, ch. 1. p. 13, 14.

(15) Statutes, vol. 1. p. 52, 53.

(16) Ryley Placita Parliamentaria, p. 249.

(17) Essays on British Antiquities, p. 49.

Only one  
house of  
parlia-  
ment.

There is no evidence that the parliament of England was divided into the two houses of lords and commons, in the reign of Edward I.; and it is most probable that it still continued to form only one great assembly. But as this assembly consisted of several distinct orders of men, as bishops, abbots, priors, earls, barons, knights, citizens, and burgesses; and as these different orders had different and sometimes opposite interests, it is highly probable, that one or more of these orders did retire into a separate room, on some occasions, and held consultations by themselves. This we know with certainty, that though the convocations of the clergy, in this period, made commonly only one assembly, and sat in one house, yet at some times they divided into four troops, as they were called, of which the bishops made one troop, the deans and archdeacons another, the abbots and priors a third, and the proctors of the inferior clergy a fourth, and each troop deliberated by itself (18). The representatives of cities and burghs, who were summoned to the parliament at Shrewsbury, A. D. 1283, appear to have met at the village of Acton-Burnel, while the rest of the parliament sat at Shrewsbury. A little before this (January 20, the same year), there were three distinct parliaments at the same time, in three different cities, one at Northampton, one at York, and one at Durham, to each of which the king sent commissioners to represent his person, as he was then engaged in the conquest of Wales (19).

Method of  
terminat-  
ing a session  
of parlia-  
ment.

When the business of a session of parliament was finished, it was dismissed by proclamation; of which it may be proper to give one example, near the end of this reign, A. D. 1305: "All archbishops, bishops, and  
" other prelates, earls and barons, knights of counties,  
" citizens, burgesses, and other people of the commons,  
" who have come at the commandment of our sovereign  
" lord the king to this parliament; the king thanks them  
" much for their coming; and wills, that when they  
" please, they may return into their own countries, pro-  
" vided that they come back, immediately and without  
" delay, when they are remanded; except the bishops,  
" earls, barons, and justices, and others, who are of

(18) Hody's History of Convocations, part 3. p. 153.

(19) Hody's History of Convocations, part 3. p. 379—383.



“ the council of our sovereign lord the king, who shall  
 “ not depart without the special licence of the king.  
 “ Those also who have business may stay, and prosecute  
 “ their business. And the knights who have come for  
 “ the counties, and the others who have come for the  
 “ cities and boroughs, may apply to sir John de Kir-  
 “ keby, and he will cause them to have briefs to  
 “ receive their wages in their own countries. And the  
 “ said John de Kirkeby, in consequence of this procla-  
 “ mation, will deliver to the chancellor the names of the  
 “ knights who have come for the counties, and the  
 “ names of the others who have come for the cities and  
 “ boroughs; and it is proclaimed, that all who desire to  
 “ have briefs for their expences, as is said above, shall  
 “ apply there for these briefs (20).” When a session of  
 parliament had been terminated in this manner, the  
 king, on the next occasion, might either call a new  
 parliament, or command the sheriffs to send the mem-  
 bers of the former parliament, causing others to be  
 elected in the room of such as had died or were infirm  
 (21). The first of these methods was most commonly  
 pursued.

The sessions of parliament, in this period, were so short, and the members of them so impatient to return to their respective countries, that many petitions commonly remained unanswered, and many appeals undetermined. The king, with the bishops, earls, barons, justices, and others of his council, answered these petitions and determined these appeals; which is the reason that they, together with those who had business depending, were commanded to stay until they received permission to depart. After that very session of parliament, which was terminated by the above proclamation, when it had continued about three weeks, the king and his council gave answers to no fewer than one hundred and six petitions (22).

In the preceding period, a brief description was given of the several courts, judges, and magistrates, which were established in England by the Normans, for the administration of justice and execution of the laws; and

(20) Ryley's Placit. Parliament. p. 241.

(21) Brady's Introd. p. 152.

(22) Ryley's Placit. Parliament. p. 241—265.

therefore

therefore it will be sufficient in this place to mention the most important changes that were made in these particulars in the course of this period (23).

Court of  
Common  
pleas.

By the seventeenth article of the Great Charter of king John, it was declared, "Common pleas shall not follow our court, but shall be held in some certain place (24)." To carry this article into execution, a court was some time after erected, for the trial of common pleas and controversies among the subjects, called the *Court of Common Bench* or *Common Pleas*, and settled at Westminster, where it still continues (25). But as new institutions are not brought to perfection at once, many persons, for several years after the erection of this court, brought their common pleas into the exchequer, which gave occasion to the following statute, A. D. 1300: "No common pleas shall be from henceforth holden in the exchequer, contrary to the form of the Great Charter (26)." This court, at its first institution, consisted only of three judges (27).

Court of  
king's-  
bench.

About the same time the court of king's-bench was erected for the trial of criminal actions and pleas of the crown, which, as well as common pleas, had formerly been in the exchequer. Though the persons who were summoned to attend this court, were commanded to appear (*coram ipso rege*) before the king himself; the advantages of its remaining at a known and convenient place, were so many and obvious, that it continued to sit almost constantly at Westminster, except a few short occasional removes (28). A statute was indeed made, A. D. 1300, that the justices of the king's-bench should always follow him, that he might have some sages of the law near him at all times (29). But this statute doth not seem to have produced any great or permanent effect. It was the duty and prerogative of the judges of this high court, from its first institution, "to correct the injuries and errors of other courts and judges (30)."

Chancery.

The most important institutions are sometimes introduced by such slow and imperceptible degrees, that it is next to impossible to point out their origin. This seems

(23) See vol. 3. chap. 3.

(24) Id. *ibid.*

(25) Dugdale's *Origines Juridicales*, ch. 18. p. 38.

(26) Statutes, vol. 1. p. 143.

(27) Dugdale, p. 39.

(28) Dugdale, p. 38.

(29) Statutes, vol. 1. p. 143.

(30) Bracton, l. 3. c. 10.

to have been the case with respect to the court of chancery, as a supreme court of review and equity. When the *aula regis* or *king's court* flourished in its ancient undivided dignity, the chancellor sat as a judge in it, with the high justiciary, and other great officers of the crown; and after the courts of the king's-bench and common pleas were erected, he continued to sit as one of the judges in the exchequer; but it doth not appear, that in this reign he had any distinct court or jurisdiction of his own (31).

As the establishment of the courts of the king's-bench Exchequer. and common pleas very much diminished the business, it also impaired the power and dignity, of the exchequer, which was very much confined, as a court of law, to the trial of such causes as respected the revenues of the crown, or its own officers and dependents (32).

Though the courts of exchequer, king's-bench, and common pleas, were for the most part settled at Westminster in this reign; they were sometimes removed to other places, that they might be near the king, when he was engaged in the wars of Wales and Scotland. In the 6th and 11th of Edward I. they were removed to Shrewsbury; in the 26th to York; and in the 21st the court of king's-bench sat at Roxburgh in Scotland (33). But the inconveniencies which attended these removes were so sensibly felt, that they became gradually less frequent.

By the statute, commonly called Westminster the second, chapter 30, A. D. 1285, justices of assize and nisi prius were appointed to go into every shire, two or three times a year, for the more speedy administration of justice (34). As these justices of assize were also judges in the courts at Westminster, they performed their circuits into the country in the times of the vacations of these courts. By another statute, A. D. 1299, the justices of assize are appointed to be justices of gaol-delivery in all places on their circuits (35).

But all these courts and judges were not sufficient to prevent the commission of many atrocious crimes, and to keep his subjects in that peace and good order which Edward I. desired. With a view to put a stop to the per-

*These courts sometimes removed.*

*Justices of assize.*

*Justices of traile-bailton.*

(31) Madox Hist. Excheq. ch. 21. p. 564, &c.

(32) Bugdale's Orig. Jurid. p. 36. Madox, chap. 20. p. 548.

(33) *Ibid.* ch. 20. p. 552, 553. Hale's Hist. C. L. p. 200.

(34) Statutes, vol. 1. p. 98.

(35) *Ibid.* p. 135.

petration of such crimes, by the severe and speedy punishment of those who were guilty of them, he appointed a kind of civil inquisitors, and sent them into different parts of the kingdom, with commissions to try and punish all murderers, incendiaries, robbers, and thieves, all who beat and wounded jurymen, or others, out of malice, with all who hired, assisted, and protected them, &c. &c. These commissioners, who were commonly called *justices of traile-basson*, executed their commission with much spirit, put many of these audacious criminals to death, and obliged others to abandon their country to avoid the same fate (36).

Justices of  
the peace.

To suppress riots and tumults, to punish small offences, and determine lesser controversies, and particularly to execute the decrees of the parliament of Winchester, this wise prince appointed conservators or justices of the peace in every county; but at the same time he abolished the office of high justiciary, as invested with too much power to be intrusted in the hands of any subject (37).

Trial of  
the judges.

Edward I. not only made these salutary changes in the courts and magistrates, but he watched over them with great attention, and punished them when they were guilty of flagrant injustice or oppression. At his return from France, where he had resided three years, great complaints were made to him of the rapacity and extortions of the judges. To examine these complaints, he called a parliament at Westminster, A. D. 1290, at which all the judges being tried, were found guilty (except two) and severely fined. Sir Thomas Wayland, chief justice of the common pleas, appearing the greatest delinquent, was banished, and his whole estate confiscated (38). This transaction was exceedingly popular, and productive of the best effects.

Statute  
law.

Several excellent statutes were made in the reign of Edward I. which contributed not a little to the melioration of the constitution, and the more regular administration of justice. It was on account of these wise and good laws, that sir Edward Coke gave this prince the title of the English Justinian. Some of these statutes respected

(36) Ryley's *Placita*, p. 280. Spelman Gloss. voc. *Traile-Basson*.

(37) Spelman Gloss. voc. *Justiciarius*.

(38) Chron. T. Wikes, p. 118. Chron. Dunstap. an. 1290. Ryley's *Placita Parliament*, 451.



the church, and were intended to fet bounds to the power of the pope, the riches of the clergy, and the encroachments of the spiritual courts (39). Others of them were calculated for explaining, confirming, and enlarging the liberties which had been granted by the great charter, and the charter of the forests; and particularly for restraining the crown from imposing taxes without the consent of parliament (40). Very prudent regulations were made by the statute of Winchester, for ordering the internal police of the country, and preventing thefts and robberies; and the statutes of Aston-Burnel, and *De Mercatoribus*, contain regulations no less prudent, for the encouragement of trade (41). But for a more perfect knowledge of the many excellent laws that were made in this reign, the reader must be referred to the statute book, and the works quoted below (42).

It is impossible to give a better description of the great Common improvements that were made in the common law of England, in the reign of Edward I. than in the following words of sir Matthew Hale: "Upon the whole matter it appears, that the very scheme, mold, and model of the common law, especially in relation to the administration of the common justice between party and party, as it was highly rectified, and set in a much better light and order by this king, than his predecessors left it to him, so in a very great measure it has continued the same in all succeeding ages to this day; so that the mark or epocha we are to take for the true stating of the law of England, what it is, is to be considered, stated, and estimated, from what it was when this king left it. Before his time it was in a great measure rude and unpolished, in comparison of what it was after this reduction thereof; and on the other side, as it was thus polished and ordered by him, so hath it stood hitherto, without any great or considerable alteration (43)."

The prerogatives of the crown were so unsettled in the times we are now considering, that they depended very

Prerogatives of the crown.

(39) Statutes, vol. 1. p. 72. 118. 160.

(40) Id. ibid. p. 131. 139. 156.

(41) Id. ibid. p. 75. 112. 115.

(42) Coke's Institutes, Blackstone's Commentaries, Barrington's Observations, Hale's Hist. C. L.

(43) Hale's History of the Common Law, p. 162, 163.

much on the character and capacity of the prince who wore it. Henry III. being a weak prince, was at some times deprived of almost all authority by his too powerful barons; but his son and successor Edward I. supported the dignity and prerogatives of his crown with greater vigour, and repelled the attacks that were made upon them with spirit. Of this it will be sufficient to give one example. When the barons demanded, A. D. 1301, that the great officers of the crown should be named by parliament, the king returned such a fierce denial, as struck terror into those haughty chieftains, and brought them to beg his pardon for their presumption (44). The truth is, this prince was too fond of power, and pushed his prerogatives beyond the limits which had been prescribed by the charters. For example, it was stipulated by the 12th article of the Great Charter,—“That no scutage or aid shall be imposed, except by the common council of the kingdom (45).” But Edward paid little regard to this article, and extorted money from his subjects on many occasions, by his own authority (46). By the 39th article of the same charter, no freeman was to be imprisoned but by the regular course of law (47). But there is the clearest evidence, that Edward and his ministers imprisoned many persons, and detained them long in prison, on mere suspicion or ill-will. Of this the archbishop of Canterbury made the following complaint in parliament A. D. 1290: “That very many freemen of the kingdom had, without any guilt on their part, been committed by the king’s ministers to divers prisons, as if they had been slaves of the meanest degree, therein to be kept: of which some died in prison, with hunger, or grief, and the weight of their chains. From others they extorted, at their pleasure, infinite sums of money for their ransoms (48).” In a word, it was declared publicly from the bench by the ministers and judges of this prince, “That, for the common utility, the king was, in many cases, above the laws and established customs of the kingdom (49):” a dangerous

(44) Parliament. Hist. vol. 1. p. 118.

(45) See vol. 3.

(46) Statutes, vol. 2. p. 133. 141.

(47) See vol. 3.

(48) Ellys’s Tracts, vol. 2. p. 7.

(49) Ryley’s Placit. Parliament. p. 77.

maxim, hardly compatible with a free and legal government.

These observations sufficiently account for the extreme reluctance of Edward I. to confirm the great charter, History of the charters. and the charter of the forests. This reluctance appears to have been so great, that nothing but necessity could have overcome it. Nor was he involved in this necessity till the 25th year of his reign, A. D. 1297, when being at war with France and Scotland, and in the greatest distress for money to carry on these wars, a powerful party of the English nobility, headed by the two great earls of Hereford and Norfolk, positively refused to follow him into Flanders, complained bitterly of his illegal exactions, and loudly demanded the confirmation of the charters, which had been long so neglected. Edward used every art to allay this rising storm; but finding this impossible, and dreading a rebellion in England while he was in Flanders, he gave a commission to his son prince Edward to call a parliament, for the redress of grievances, and confirmation of the charters; which were accordingly confirmed with great solemnity, October 10, in full parliament at London (50). The statute of confirmation being transmitted to the king, he gave his assent to it under the great seal, at Ghent, November 5. After his return he confirmed these famous instruments, March 8, A. D. 1299, in a parliament at London; and again in another parliament at the same place, March 16, A. D. 1300; and finally in a parliament at Lincoln, February 14, A. D. 1301 (51). At each of these confirmations new devices were invented to render these admired inestimable charters (which contributed so much to establish and ascertain the liberties of England) more public, sacred, and inviolable (52).

Though Edward I. was an excellent œconomist, the almost incessant wars in which he was engaged involved him in expences which his stated revenues could not support. To supply this deficiency, he made frequent and commonly successful applications to his people in parliament (53). But on some occasions he had recourse to

Revenues of the crown.

(50) Statutes, vol. 1. p. 131.

(51) See Judge Blackstone's most correct and valuable History of the Charters, p. 92—115.

(52) Blackstone's Hist. of the Charters, p. 92—115.

(53) Parliament. Hist. vol. 1. p. 136.

more unjustifiable methods of replenishing his coffers. From the Jews he extorted prodigious sums of money at different times; and at last he seized the whole possessions of that devoted people, banishing the owners out of the kingdom (54). Though he was really a friend to trade, yet when his want of money was great and urgent he sometimes made too free with the cash and goods of merchants. Before his departure on his expedition into Flanders, A. D. 1297, he seized great quantities of wool and leather belonging to the merchants, for no other reason, but that it was the most speedy and effectual means of procuring money (55). At the same time he took by mere force, without any other plea but that he had need of them, immense quantities of corn, and great multitudes of cattle, for the use of his army (56). Nor did this prince abstain from laying violent hands on the property of the church, however sacred it was then esteemed. At one time he seized all the money and plate in the monasteries and churches; and at another, all the possessions of the clergy, for refusing to grant him a subsidy (57). These acts of tyranny and oppression will hardly appear credible in the present age. But nothing was more difficult than to teach even the best and wisest of our ancient kings this plain fundamental principle of the constitution,—*That they had no right to the property of their subjects, unless it was granted to them by parliament.*

Wales.

EDWARD I. made great efforts to reduce the whole island of Britain into one kingdom, governed by the same sovereign, and subject to the same laws. With respect to Wales he succeeded in his design. After he had accomplished the conquest of that country by the force of arms, he was at great pains to gain a perfect knowledge of its ancient constitution and laws, and of the manners of its inhabitants. With this view, he gave a commission to the bishop of St. David's and others, to investigate these matters in the most careful and authentic manner. No fewer than one hundred and seventy-two of the most re-

(54) Walsing. p. 54. Heming. vol. 1. p. 20. Trivet, p. 266.

(55) Walsing. p. 69. Trivet, p. 296. Heming. vol. 1. p. 52.

(56) Heming. vol. 1. p. 116, 111.

(57) Walsing. p. 65. Heming. vol. 1. p. 107.



spectable and intelligent persons were examined upon oath, by these commissioners, who, upon their evidence, formed a report (58). Having obtained this necessary information, he held a parliament at Rhuydland in Flintshire, May 24, A. D. 1282, and in it united Wales to the kingdom of England, and introduced into it as many of the English laws, customs, courts, and magistrates, as he thought convenient at that time (59).

EDWARD was not so successful in his designs upon Scotland. Scotland, though the acquisition of that kingdom seems to have been the favourite wish of his heart, during the last twenty years of his life. His first scheme for uniting the two British kingdoms, by the marriage of his eldest son prince Edward, to Margaret of Norway, heiress of the crown of Scotland, was just and honourable; but it was unhappily defeated by the death of that princess. The various methods of art and force, which he afterwards employed for accomplishing this end, have been already related. Amongst other means, he endeavoured to introduce the English laws, customs, and modes of judicial proceedings, in those parts of Scotland where his power prevailed. “ It seems very evident (says sir Matthew Hale), that the design of Edward I. was by all means possible to unite the kingdom of Scotland, as he had done the principality of Wales, to the crown of England, so that Britain might have been one entire monarchy, which could never have been better done, than by establishing one common law and rule of justice among them; and therefore he did, as opportunity and convenience served, translate over to that kingdom as many of our English customs and laws as within that compass of time he conveniently could (60).” But as all Edward’s efforts to unite Scotland to England finally failed, they served only to kindle a most violent and implacable animosity between the people of these two kingdoms, which gradually rendered their manners, laws, and customs, more dissimilar than they had been in more ancient and amicable times.

(58) See *Leges Wallie*, Append. Judge Barrington’s *Observ.* p. 90.

(59) See *Statutum Wallie*, in the *Statutes at Large*.

(60) Hale’s *Hist. C. L.* p. 204.

## SECTION III.

*Changes in the Constitution, Government, and Laws of Britain, from the accession of Edward II. A. D. 1307, to the accession of Edward III. A. D. 1327.*

FEW characters were more different than those of Edward I. and of his son and successor Edward II. The last of these princes being a weak indolent voluptuary, without talents for war, politics, or legislation, was the property of worthless, greedy favourites, to whom he abandoned both the treasures and government of his kingdom. In this reign we cannot expect to meet with great improvements in the constitution, government, and laws; and therefore on these heads it merits very little attention.

Constitution of parliament.

The constitution of parliament became gradually more settled and uniform in the course of this reign; though its meetings were sometimes very tumultuary, occasioned by the violent animosities of the contending parties. When a parliament was most full and general in this period, it consisted of the following classes or orders of men,—all the archbishops, bishops, abbots, priors, deans, archdeacons, two representatives from the chapter of each cathedral, and two representatives of the inferior clergy of each diocese,—all the earls and greater barons, with the judges, and all the members of the king's council, both of the clergy and laity, two knights from each county, and two citizens from each city, and two burgesses from each burgh. The first parliament in this reign, which met at Northampton October 13, A. D. 1307, was constituted in this manner (1). The expences of all who were called to this parliament as representatives of the clergy, as well as of the laity, were borne by their constituents (2). The clerical representatives possessed the singular privilege of

(1) Dugdale's Summons, p. 56.

(2) Hody's Hist. Convocat. p. 391.

substituting others in their room, when it was not convenient for them to attend (3). But all the parliaments of this reign were not so full and general as the first; for we find that to some of them the deans, archdeacons, and the representatives of chapters, and of the inferior clergy, were not summoned (4). In a word, the two first Edwards, and their ministers, seem to have modelled their parliaments as best suited their particular views. When they designed to ask the advice, or demand the pecuniary assistance, of all the different orders of their subjects, they called a general parliament; but when they wanted only the counsel and contributions of their prelates and barons, who possessed the far greatest share both of the power and riches of the kingdom, they called only a particular parliament, consisting of these prelates and barons. This not only appears probable, from an attentive consideration of the circumstances in which these different kinds of parliaments were called; but is directly asserted to have been the case, by an archbishop of Canterbury, who flourished in those times, in a letter to the pope: —“ It  
 “ is the custom of the kingdom of England, that in  
 “ those public contingencies which affect the state of that  
 “ kingdom, the counsel of all who are particularly concerned is required (5).” The inferior clergy, and the inhabitants of cities and towns, were so poor, and contributed so little to tenths and fifteenths, that sometimes no demand was made upon them, and then they were not required to send representatives to parliament. The twentieth, for example, that was granted in the first parliament of Edward II. by the earls, barons, and knights, amounted, in the county of Bedford, to 720*l.* 12*s.* 7*d.*; while the fifteenth, granted by the citizens and burghesses, produced in all the towns of the same county, only 31*l.* 18*s.* 4½*d.* (6). Nor did the towns bear a much higher proportion to the counties in other parts of England. But as cities and towns increased in wealth, their contributions to the public expences, and their importance in other respects became more considerable, and then they were constantly called upon to send their representatives to par-

(3) Hody's Hist. Convocat. p. 389.

(4) Id. p. 390.

(5) M. Westmonst. an. 1301. p. 439.

(6) Carte, vol. 2. p. 308. from the Rolls in the Pipe-office.

liament,

liament, in which they soon acquired a much greater influence than the counties by their superior numbers.

Parliament  
not yet di-  
vided into  
two houses.

The parliament of England doth not appear to have been statedly divided into two houses in this reign ; though each of the several orders of which it consisted, occasionally retired and consulted apart about its own particular concerns. In these separate consultations, the knights of shires commonly, if not constantly, sat with the earls and barons, as having been originally of the same order ; and always granted the same proportion of their goods with the earls and barons. The representatives of cities and burghs, who were really citizens and burghesses, inhabitants of the places which they represented, formed one body, and held consultations about the affairs of trade, and about granting aids to the crown ; and they commonly granted a greater proportion of their moveables than the earls, barons, and knights, because they owed their establishment and franchises to the crown, and depended upon it for further immunities (7).

Clergy in  
parliament  
nearly  
equal to  
the laity.

The clergy were nearly equal to the laity in number, as well as in wealth and dignity, in the parliaments of England in this period. The bishops, abbots, and priors, corresponded to the earls and barons, and were also summoned in the same manner, by a particular writ directed to each of them : the deans and archdeacons corresponded to the knights of shires, and were summoned by the bishop, as the knights were by the sheriff of the county : and the representatives of the chapters of cathedrals, and of the inferior clergy, who were called the *spiritual commons*, corresponded to the representatives of cities and burghs (8). The clergy also granted their own money in parliament, and sometimes in a different proportion from the laity (9). These circumstances, and some others, made the favour of the clergy an object of great importance to the prince, in the times we are now considering.

Courts.

“ It seems,” says a learned historian of the law, “ that the certain fixing of the court of common-pleas at Westminster, occasioned much more resort thereto than before ; for about the beginning of Edward II’s reign there were so many suits therein, as that the king

(7) Carte, vol. 2. p. 246—260.

(8) Dugdale’s Summons, p. 92, Sec. Privy Parl. Writ. vol. 2. p. 77.

(9) Rights of an English Convocation, p. 39, Sec.



“ was necessitated to increase the number of his justices,  
 “ who were to sit there, unto six, which commonly were  
 “ not above three before that time ; and so to divide  
 “ them, that they might sit in two places (10).” The  
 judges in this court were afterwards increased to seven,  
 and at last to nine ; though they have long since been re-  
 duced to four, who sit all in one place. In proportion as  
 the business of the court of common-pleas increased, that  
 of the exchequer, in which these pleas had formerly been  
 tried, declined (11). The members of the king’s coun-  
 cil still continued to possess great judicial powers, and  
 acted as barons of the exchequer, as well as determined  
 many causes in the last resort, which could not be over-  
 taken by parliaments in their short sessions (12).

Few statutes of lasting utility or great importance Statute  
law.  
 were made in the turbulent unhappy reign of Edward II. By the ancient common law of England, breaking prison  
 was a capital crime, even though the person had been  
 committed for a slight offence. The unreasonable severe-  
 rity of this law or custom was corrected by a statute made  
 in a parliament at Northampton, 1st Edward II. A. D.  
 1307, which decrees,—“ That none from henceforth  
 “ that breaketh prison shall have judgment of life or  
 “ member, for breaking prison only, except the cause  
 “ for which he was taken and imprisoned did require  
 “ such judgment, if he had been convicted thereupon ac-  
 “ cording to the law and custom of the realm, albeit in  
 “ times past it hath been used otherwise (13).” The  
 prices of provisions of all kinds being very high A. D.  
 1314, parliament attempted to reduce and fix them at  
 a certain rate by law ; but that law produced a famine,  
 and was soon repealed (14).

The common law, when it could be exercised, conti- Common  
law.  
 nued in the same improved state to which it had attained  
 in the preceding reign (15). But the regular administra-  
 tion of justice was frequently interrupted by civil broils ;  
 and the rage of party was sometimes so violent, that several  
 noble persons were deprived of their fortunes, and

(10) Dupd. Origin. Jurid. p. 39. (11) Madox, Hist. Excheq. p. 548.

(12) Madox, Hist. Excheq. p. 565, &c.

(13) Statutes, vol. 1. p. 164.

(14) Parliament. Hist. vol. 1. p. 151. 153. Walling. an. 1314.

(15) Hale's Hist. C. L. ch. 8. p. 196.

even of their lives, without so much as the pretence or form of a trial.

Prerogatives of  
the crown.

The limits of the prerogatives of the crown, and the privileges of the people, were in this period so unsettled, that they depended very much on the personal character of the king. As Edward II. was a weak prince, he was soon deprived of the most essential prerogatives of his crown, and, in the third year of his reign, compelled by a powerful faction of his barons, to give a commission to twelve great men, named by parliament, to govern both his kingdom and his household with unbounded sway (16). By this commission the royal authority was almost annihilated, and a tyrannical aristocracy established. This, like every other violent breach in the constitution, produced much confusion and misery for several years; the barons labouring to preserve the power they had gained, and the king to recover the authority he had lost. In the mean time, the people suffered all the distresses arising from anarchy and civil discord, aggravated by famine, and the destructive incursions of the Scots. The king, after a struggle of twelve years, was restored to all the prerogatives of his crown, by his victory over the earl of Lancaster and his confederates at Boroughbridge, A. D. 1322. For soon after that victory a parliament was held at York, in which all the ordinances which had been made by the twelve commissioners, and for the support of which the confederated barons had taken arms, were repealed,—“because by the things  
“which were ordained, the king’s power was restrained  
“in many things, contrary to what was due to his  
“seigniorial royal, and contrary to the state of the  
“crown (17).” But this weak unfortunate prince, about five years after this, was deprived, first of his crown, and afterwards of his life.

Revenues.

The hereditary revenues of the crown of England, which at the accession of Edward II. were very great, were in a little time very much diminished by his unbounded liberality to his worthless insatiable favourite Piers Gavaston (18). By the same means, all the money which had been provided by his father for the relief of

(16) Rely, Placit. Parliament. p. 526. 529.

(17) Parl. Hist. v. 1. p. 176.

(18) Rymer, vol. 4. p. 50, 91.

the Holy Land, and for the expedition against Scotland, was consumed, and he was reduced to a state of indigence very unbecoming the royal dignity. In the course of his reign, particularly after the destruction of the earl of Lancaster and his party, many great estates came to the crown, and he also obtained several tenths and fifteenths from parliament. But all these estates and sums of money were lavished on his favourites, especially on the two d'Espensers. It must however be acknowledged, that this misguided prince never attempted to supply his wants, which were often very pressing, by imposing tallages or taxes of any kind without consent of parliament. But there is some reason to suspect, that this abstinence was rather owing to want of power, than to a conscientious regard to the constitution.

As soon as the renowned Robert Bruce found himself firmly seated on the throne of Scotland, by the decisive victory at Bannockburn, he began to think of re-establishing order, and the regular administration of justice in that unhappy kingdom, which had long been a scene of the most deplorable anarchy and confusion. With this view he held a parliament at Scone, A. D. 1319, consisting of the bishops, abbots, priors, earls, barons, and other noblemen of his realm (19). In this parliament, a capitulary, or collection of statutes, consisting of thirty-four chapters, was formed; in which there are many things remarkable. The nineteenth law, which is for nourishing peace and love, recites, that from the death of king Alexander there had been great discords and animosities among the nobles of the realm: and therefore, to put an end to these, and to nourish peace and love, it is defended and forbidden, that one noblemen do any hurt to another, or to any of his men (20). By the twentieth law, such as invent or spread rumours which may occasion discord between the king and his people, are to be imprisoned during the king's pleasure (21). Another system of laws, consisting of thirty-eight chapters, was formed in a parliament at Glasgow, A. D. 1325. By the thirty-third chapter of these laws, it appears, that the enmity between the clergy and laity was

Constitution, Sec. of Scotland.

(19) Regiam Majestatem, p. 339. (20) Id. p. 344.

(21) Id. p. 345.

so great, that they were not admitted to be witnesses against each other in a court of justice (22). By the twenty-sixth statute, very great precautions are directed to be taken, to prevent a woman who pretended to be with child at the death of her husband, from imposing a supposititious child on his family. She was immediately to be committed to the custody of a matron of undoubted integrity. When within a month of her delivery, she was required to invite the friends of her late husband to come and live with her during that month. As soon as her pains began, guards were to be placed at the door of her house, with orders to search every person who desired admittance. Three candles were to be burning in the room all the time she was in labour; and as soon as the child was born, it was to be exhibited to the view of the friends of the family (23). Many of the laws in both the capitularies of Robert I. are evidently borrowed from English statutes of Henry III. and Edward I.: and some of them are transcribed almost *verbatim* (24). This is a proof both of the wisdom and magnanimity of Robert Bruce, who did not disdain to borrow useful regulations from his greatest enemies.

The parliament of Scotland, in the former part of this period, appears to have been constituted according to the model of the English parliament in the Great Charter of king John. Burgesses were introduced into that parliament, which was held by Robert I. in the abbey of Cambuskenneth, in July A. D. 1326, which consisted of the earls, barons, burgesses, and all the other freeholders of the kingdom, who granted that illustrious prince, for his whole life, the tenth part of the rents of all their lands, according to the old extent of their lands and rents in the time of Alexander III. in consideration of the great diminution of the lands and revenues of the crown, in the course of the long war, and of the great things which the king had done and suffered for preserving the independency of the kingdom (25). It is remarkable, that none of the clergy are mentioned as being present in this parliament, though in the record it is called a full parliament.

(22) *Regiam Majestatem*, p. 368.

(23) *Id.* p. 366.

(24) Compare *Westminster*, 3d. Stat. vol. 1. p. 122. with 2d Stat. Robert I. ch. 24.

(25) Lord Haume's *Law-Tract*, Append. No. 5.



This makes it highly probable, that the clergy had a convocation about the same time, for the purpose of making a similar grant. In a word, there was still a very great resemblance between the laws of the two British kingdoms, though they had been many years in a state of the most violent and fierce hostility.

## SECTION IV.

*Changes in the Constitution, Government, and Laws of Britain, from the accession of Edward III. A. D. 1327, to the accession of Richard II. A. D. 1377.*

IN the long and glorious reign of Edward III. several important changes were made in the constitution, government, and laws of England, which merit our attentive consideration.

As the parliaments of England have been the guardians of its liberties, the framers of its laws, the imposers of its taxes, the great counsellors of its kings, and the supreme judges of the lives and properties of its people, in every age, the state of those illustrious assemblies, their constituent members, and other circumstances, claim the first and chief attention of all who wish to trace the history of the constitution with any degree of accuracy.

Edward III. appears to have been fond of parliaments, and never neglected to consult them on any affair of importance. By this means that wise prince obtained the best advice, and most hearty concurrence and support, of his subjects, in his arduous undertakings; which were generally crowned with success. His writs of summons to no fewer than seventy parliaments and great councils, are still extant; and afford a sufficient proof of his fondness for those assemblies, and that he called a far greater number of them than any other king of England (1).

(1) Dugdale's Summons to Parliament, p. 139—252.

Parliaments and great councils.

The distinction between parliaments and great councils still subsisted; and Edward III. called sometimes the one, and sometimes the other, as the state of his affairs required. When he desired only the advice and assistance of his great barons, who still possessed the far greatest part of the power and property of the kingdom, he called a great council, consisting of all the great men, both of the clergy and laity, who held of the crown by barony, and were intitled to a particular summons (2). When he stood in need of the counsel and aid of all his subjects, he called a full parliament, which consisted, not only of the barons, spiritual and temporal, but also of the representatives of the inferior clergy,—of the smaller barons, or freeholders,—and of the citizens and burgesses of the kingdom; and those representatives of the clergy and laity below the rank of barons, were called *the spiritual and temporal commons*. But as parliaments possessed greater authority in granting supplies, making laws, and in all other things, than great councils, they were more frequently called (3).

Number of representatives.

The number of representatives sent to parliament by each county, city, and borough, in this reign, was not invariably fixed. Only one representative from each city and borough was summoned to the parliament which met at Westminster 26th Edward III.; and only one knight from each county was summoned to that which met the year after at the same place, though two representatives from each city and borough were called to this last (4). At length the general rule of sending two members from each county, city, and borough, was so uniformly observed, that by custom it became a law.

The number of towns and boroughs which sent members to parliament, in the times we are now considering, was still more unfixed and variable. This seems to have depended very much on the sheriffs of the several counties to whom the king's writ was directed, commanding them to cause a certain number of citizens (most commonly two) to be elected for each city, and of burgesses for each borough, within their counties. To these officers the people of small towns and boroughs, who were unable or

(3) Dugdale's Summons to Parliament, p. 139—292.

(3) Ibid.

(4) Brady's Introduction, p. 158. 160.

unwilling to pay the wages of their representatives, frequently applied; and many of them, by one means or other, were excused or overlooked (5). In general, the representatives of cities and boroughs were much fewer in this period than they are at present (6). It is obvious, that this unsettled state of parliaments added much to the authority and influence of the crown in those assemblies; and we learn from history, that this influence was sometimes employed in packing parliaments for the most pernicious purposes; particularly by the queen-mother, and her favourite Mortimer, in the beginning of this reign (7).

It is perhaps impossible to discover the precise time when the parliament of England was divided into the two houses of lords and commons; meeting stately in different places, and forming two great and distinct assemblies. None of our ancient historians give any account of this event, so remarkable in itself, and productive of so many important consequences; nor is there any law concerning it in the statute-book. It is highly probable, that this custom of meeting in two separate chambers was introduced almost insensibly, and established without much noise or observation. It hath been already observed that in the two preceding reigns the several orders of men of which the parliament consisted, sometimes retired into separate rooms, and deliberated by themselves about affairs in which they were particularly concerned. This practice, we may presume, being found convenient in many respects, became gradually more and more frequent, till at length it settled into a custom. At first, the parliament commonly divided into three bodies, for their separate deliberations; the clergy forming one of these bodies; the earls, barons, and knights of shires, another; and the citizens and burghesses a third. Of this, if it were necessary, many examples might be given. When Edward III. asked the advice of his parliament, which met at Westminster March 12, A. D. 1332, about the most effectual means of suppressing certain audacious bands of robbers which infested several parts of the kingdom, the prelates and proctors of the clergy went apart

Parliament  
divided into  
three bodies.

(5) Brady of Boroughs, p. 54. 59.

(6) Bishop Ellys's Tracts, vol. 2. p. 123.

(7) Rym. Fæd. t. 4. p. 453.

to consult by themselves, the earls, barons, and knights of shires, by themselves, and the citizens and burghesses by themselves. After some time had been spent in these separate consultations, the whole parliament reassembled, received the reports of these several bodies, and out of them, by common consent, one general advice was formed, and presented to the king (9). The same method of proceeding was followed when the crown demanded supplies. The demand was made in full parliament; on which each of these three bodies deliberated separately, and settled the proportion of their goods or money which they proposed to grant. This is the reason that the grants of these several bodies are not only in different proportions, but sometimes even of different kinds, one body granting a certain proportion of their corn and cattle, another a certain quantity of their wool, and a third a certain sum of money (10). While the separate consultations of these different bodies were only occasional, it doth not appear, that the citizens and burghesses (who may be said to have constituted the house of commons) had any common speaker, settled and chosen for the whole session or parliament; but they probably chose one at each consultation.

Proctors of  
the clergy  
no longer  
members of  
parliament.

As the above plan of parliament was not agreeable to many of its members, it was not of long duration. The inferior clergy, in particular, were much displeased with this system, because they knew that they were compelled to send their proctors to parliament, with no other view than that they might be prevailed upon, by the presence and authority of the laity, to make more liberal grants of money to the crown than they would have done in convocation. They laboured, therefore, with the greatest earnestness, to procure exemption from sending their representatives to parliament; and at length succeeded. For it plainly appears, from the records of the parliament which met at Westminster April 23, A. D. 1341, that none of the clergy were members but such as held of the king by barony, i. e. archbishops and bishops, and some of the richest abbots and priors (11). The crown, it is true, did not then, or even for several reigns after, for-

(9) Dugdale's Summons, p. 167. Rights of Convocat. p. 58. Parliament. Hist. vol. 1. p. 213, &c.

(10) Id. *ibid.* p. 330.

(11) Hody Hist. Convocat. p. 411, 412.



mally renounce the right of calling the proctors of the inferior clergy to parliament, but only connived at their absence, and permitted them to grant their money in their convocations, without mingling with the laity. These convocations were commonly held at the same time, and in the same city, with parliaments; and so strict an intercourse was kept up between these assemblies, that many things done by the clergy in convocation were reported in parliament (12).

The union between the great barons and the knights of shires, in their private consultations, was not very natural, as the former sat in their own right, and were accountable to none for their conduct, and the latter sat by election, and were certainly bound to have a particular concern for the interests, and even some respect for the sentiments, of their constituents. The inconveniency of this appeared in the parliament which met at Westminster October 13, A. D. 1339, and no doubt on other occasions. When the barons and knights of shires in that parliament consulted together, about an aid to be granted to the king, the barons were willing to give their tenth sheaf, fleece, and lamb; but the knights declined giving so large a grant till they had consulted their constituents; which occasioned a delay very fatal to the king's affairs. This union between the barons and knights seems to have been dissolved about that time. For the king having called a parliament at Westminster April 23, A. D. 1343, sent sir Bartholomew Burghersh to ask their advice, whether he should make a peace with the king of France, under the mediation of the pope, or not? And sir Bartholomew, having proposed this question to the whole parliament, desired the prelates and barons to deliberate upon it among themselves, and also desired the knights of counties and commons to assemble in the painted chamber, and consult about the same matter; and both to meet in full parliament on Thursday May 1, and report their advice (13). On this occasion we find the two houses of lords and commons completely formed; the first composed of all the clergy and laity who held of the crown by barony, and were summoned by parti-

The establishment of the houses of lords and commons.

(12) Hody Hist. Convocat. p. 412—431.

(13) Parliament. Hist. vol. 1. p. 251.

cular writs directed to each member; the second, of the representatives of all the smaller barons, citizens, and burgesſes: an excellent institution, which hath continued, with ſome ſhort interruptions and ſmall variations, through more than four centuries.

Happy  
effects of  
this eſta-  
bliſhment.

This permanent diviſion of the parliament into the two houſes of lords and commons was attended with many advantages, and contributed more than any other event to the improvement of the conſtitution. Each of theſe houſes conſiſting of much fewer members than the whole parliament, and theſe members being nearly of the ſame rank in ſociety, their deliberations were conducted with greater calmneſs and regularity. The commons, being no longer under the eye of potent and haughty barons, in whoſe preſence they hardly dared to ſpeak, took courage, and gradually acquired greater weight and influence. Every law underwent the examination of two diſtinct aſſemblies, jealous of each other's power, and watchful over each other's conduct, before it was preſented to the king for his aſſent. Each of the two houſes was a check upon the other; by which neither of them was permitted to encroach on the privileges of the other, or on the prerogatives of the crown. In a word, by this happy diviſion of the parliament of England into the two houſes of lords and commons, with the king at their head, the rights of all ranks of people were ſecured, and the Engliſh conſtitution acquired the peculiar advantages of the three moſt famous forms of government, monarchy, ariſtocracy, and democracy, without their diſadvantages. This is one part of the polity of England, which Scotland, to its unſpeakable loſs, never imitated.

Gradual  
union of  
the knights  
and com-  
mons.

It required a conſiderable time to bring the union of the knights of ſhires with the citizens and burgeſſes to perfection. Many years after they were united, the members of the lower houſe of parliament were conſtantly denominated, “the knights of ſhires and commons;” and the former were reputed a higher order in ſociety than the latter, who were really inhabitants of the cities and boroughs they repreſented (14). On ſome occaſions, the knights of ſhires, having finiſhed their

(14) Parliament. Hiſt. vol. 1. paſſim.

buſineſs,

business, were dismissed, when the citizens and burgesses were detained in order to lay imposts upon certain goods, and to regulate the affairs of trade, which was considered as their peculiar province (15). That they might be properly qualified for doing this, this king, in his writs of summons, sometimes directed cities and boroughs to elect such of their members to represent them as were the most expert mariners or most intelligent merchants (16). But by degrees all these distinctions vanished, and cities and boroughs were represented by gentlemen of the best families and greatest fortunes in the kingdom.

After the knights, citizens, and burgesses, were united into one assembly, and formed the lower house of parliament, they treated the prelates and great barons, who formed the other house, with the greatest respect and deference, on all occasions, and seemed to entertain very humble thoughts of their own power and political abilities. When matters of great moment, or of great difficulty, came before them, they commonly applied to the lords, and petitioned, that certain prelates and barons might be allowed to come to them, and assist them with their advice (17). In these meetings of the commons with a committee of the lords, the nature and quantity of the supplies to be granted to the crown were ordinarily settled, and afterwards reported in full parliament. Humility  
of the commons.

The parliaments of this period, in regulating the supplies, sometimes betrayed a degree of ignorance of the state of their country; which would be perfectly incredible, if it were not so well attested as to preclude all doubt. The parliament which met at Westminster February 24, A. D. 1371, granted the king an aid of 50,000*l.* and in order to raise it, imposed a tax of 2*s.* 3*d.* upon every parish, supposing the number of parishes to be about forty-five thousand. But it was soon found, that they did not amount to a fifth part of that number; and consequently that the tax imposed would not have raised a fifth part of the sum granted (18): A most astonishing mistake, to be committed by so numerous an as- Mistake of  
parliament.

(15) Parliament. Hist. vol. 1. passim.

(16) *Id.* p. 314.

(17) *Id.* p. 315.

(18) Cotton's Abridg. from the Parliament-roll, 45th Ed. III.

fembly, composed of the greatest and most intelligent persons in the kingdom!

Singular  
assembly.

The method which was taken to rectify the mistake abovementioned was also very singular. Instead of re-assembling the former parliament, or calling a new one, the king summoned a certain number of prelates and lords, together with one half of the knights, citizens, and burgeses, who had been members of the last parliament, all named by himself in his writs of summons, to meet at Winchester June 8th (19). This very remarkable assembly assumed the authority of a parliament, and raised the tax on each parish to 5*l.* 10*s.* Such a measure would not have been thought of in a more mature and settled state of government.

Lawyers  
excluded  
from par-  
liament.

In the days of chivalry and superstition, when disputes were more frequently determined by the sword, or by ordeals, than by law, the profession of a lawyer was neither very lucrative nor very honourable, and consequently was embraced by few men of any probity and credit. This brought the profession into such disgrace, that practising lawyers were declared incapable of being chosen members of parliament, by a statute, 46th Edward III. A. D. 1372 (20). But the gentlemen of that profession have long since wiped off that reproach, and recovered their place in parliament, where many of them have acted, and still continue to act, a part highly honourable to themselves and advantageous to their country.

Change in  
the manner  
of making  
laws.

When the house of commons was completely formed, a new mode of making statutes was introduced. The commons, towards the conclusion of every session, presented, in the presence of the lords, certain petitions for the redress of grievances to the king; which he either granted, denied, or delayed. Those petitions that were granted were afterwards put into the form of statutes by the judges, and other members of the king's council, inserted in the statute-roll, and transmitted to sheriffs to be promulgated in their county-courts (21). But this inaccurate manner of making laws was attended with many inconveniencies; and the commons had too often reason to complain that the statutes did not exactly correspond with their petitions. They had still better reason to com-

(19) Brady, vol. 2. p. 161.

(20) Carte Hist. from Records, vol. 2. p. 482.

(21) Val. 2 Hist. C. L. p. 14.



plain of Edward III. for repealing a statute by his proclamation, which had been made in consequence of their petitions which he had granted, on this very strange pretence,—that he had dissembled when he had granted their petitions, to avoid the mischiefs which a denial would have produced (22). In a word, though the constitution and form of the parliament of England was much improved, and its authority much increased, in the course of this long and glorious reign, it was still very far from that degree of perfection in both these respects to which it hath since attained.

Many statutes were made in this period, which contributed not a little to the improvement of the common law, and to the security of the rights and privileges of the people. The Great Charter was confirmed by no fewer than ten acts of parliament; and some articles of it were explained and enlarged (23). Several good laws were made for the speedy and impartial administration of justice, and against those dangerous associations which were then common, for supporting each other in their law-suits (24); the king's prerogative of pardoning convicts, particularly murderers, which had been very improperly exercised, was limited by various statutes (25); the institution of justices of the peace was confirmed and improved, and their power enlarged (26); the intolerable grievance of purveyance for the king's household was mitigated (27). The statute of 25th Edward III. chap. 2. intitled,—“ A declaration, which offences shall be adjudged treason,” is certainly a wise and good law. The same may be said of 4th Edward III. chap. 14, “ That a parliament shall be holden every year once;” and of 36th Edward III. chap. 15, “ That pleas shall be pleaded in the English tongue;” and of several others, for the knowledge of which the reader must be referred to the statute-book.

Many of the laws that were made in the reign of Edward III. and still stand in the statute-book, are become impracticable, and may be said to be repealed by those prodigious changes in the state and circumstances of the kingdom, which four centuries have produced. Such are

Impracticable statutes.

(22) Statutes, vol. 1. p. 237. (23) Statutes, vol. 1. p. 192—333.

(24) Statutes, vol. 1. p. 195. 199. 204. 210. 223, &c.

(25) Id. ibid. p. 196. 218, &c. (26) Id. ibid. p. 195. 198. 240, &c.

(27) Id. ibid. p. 202. 206. 209. 261, &c.

the laws relating to the staple of wool and other goods, —the sumptuary laws prescribing the dress and diet of persons of different ranks,—the statutes which settle the wages of labourers and the prices of provisions; and many others (28). These obsolete impracticable statutes are valuable monuments of antiquity, and ought to be carefully preserved; but the propriety of retaining them in our code of laws, which would be sufficiently voluminous without them, may be doubted.

Common  
law.

It seems to be impossible to give a better or shorter account of the state of the common law in this period, than in the words of its learned historian: “ King Edward III. succeeded his father. His reign was long, and under it the law was improved to its greatest height. The judges and pleaders were very learned. The pleadings are somewhat more polished than those in the time of Edward II.; yet they have neither uncertainty, prolixity, nor obscurity. They were plain and skilful; and in the rules of law, especially in relation to real actions and titles of inheritance, very learned, and excellently polished, and exceeded those of the time of Edward I. So that at the latter end of this king’s reign, the law seemed to be near its meridian (29).

Prerogatives of the  
crown.

Few attempts were made to deprive the crown of its just prerogatives in the reign of Edward III. The power of pardoning was indeed confined within reasonable limits by law, which, it is probable, was not disagreeable to the king; as it relieved him from importunate petitions, that were not fit to be granted. Parliament, in the fifteenth year of his reign, taking advantage of his necessities, made a bold attack on the prerogative, by demanding that on the third day of every session all the great officers of the crown should be divested of their offices, and called to account for their conduct by parliament, and that if any of them were found culpable, they should be finally deprived of their offices and others substituted in their room. With this demand Edward found it necessary to comply, in order to obtain a large supply of money, of which he stood in the greatest need. But he soon recovered the power he had lost, by boldly repealing this act

(28) See Statutes at Large, temp. Ed. III.

(29) Hale’s Hist. Com. Law, p. 167, 168.

of parliament, to which he had given his assent, declaring in a proclamation, that his assent had been involuntary, and that the act in question was inconsistent with the prerogatives of the crown, which he was bound, by his coronation-oath, to maintain (30). Nor was this the only arbitrary unconstitutional action in the administration of Edward III. In spite of the Great Charter which he had often confirmed, and of several other laws, he frequently extorted money from his subjects, without the consent of parliament, by his own authority (31). All the remonstrances and petitions of the house of commons could never prevail upon him, clearly and explicitly, to relinquish that prerogative; for in the very last year of his reign, he affirmed, in the face of his parliament, that he had a right to impose taxes on his subjects, when it was necessary for the defence of the realm (32).

The hereditary revenues of the crown of England during the whole of that period which is the subject of this book, were derived from those sources which have been described already, in the third chapter of the third book of this work (33). Edward III. it is said, received no less than thirty thousand pounds a-year from Ireland; and, in time of peace, it is probable he received also considerable sums from his dominions on the continent (34). These settled hereditary revenues were abundantly sufficient for defraying all the expences of the civil government, and for maintaining the royal family in affluence and splendour; but they were far from being sufficient for supporting those long expensive wars which he carried on in France and Scotland. Those wars involved him in great debts and difficulties, and obliged him to make frequent importunate applications to parliament for pecuniary aids, as well as to employ several other methods neither so just nor honourable. The lustre of Edward's personal accomplishments, and great victories, rendered him so popular, that his applications to parliament for money were seldom unsuccessful; and he obtained far more frequent and liberal grants than any of his predecessors (35). To

(30) Statutes at Large, vol. 1. p. 237.

(31) Cotton Abridg. p. 17, 18. 39. 47. 52, 53, &c. &c.

(32) Cotton Abridg. p. 152.

(33) See vol. 3.

(34) Walsing. p. 350.

(35) See Parliament. Hist.

enable us to form some idea of the value of these parliamentary grants, and of the sums of money which he extorted from his subjects by other methods, it may be proper to give a very brief account of them for one year. The parliament which met February 3, A. D. 1338, granted him one half of next summer's wool, which was collected and sold for 400,000l. (36). About the same time he seized all the money, jewels, and other goods, of the Lombard merchants in London; and took into his own hands all the revenues of the alien priories, and retained them twenty years; and borrowed great sums of money from several abbeyes. That parliament granted also an additional duty of two shillings on every ton of wine imported, over and above all former customs. Another parliament met that same year in October, at Northampton, and granted a fifteenth, besides the pre-emption of all the wool in the kingdom at a very low price; and the clergy in convocation granted a tenth for two years (37). The people of England never had greater reason to complain of taxes than in this memorable year, in which their king assumed the title of *king of France*: an event that proved fatal to the peace and prosperity of both kingdoms, and, amongst many evils of which it was productive, contributed not a little to multiply and perpetuate taxes.

Title of  
duke in-  
troduced.

About a year before Edward III. assumed the title of *king of France*, he introduced a new order of nobility, to inflame the military ardour and ambition of his earls and barons, by creating his eldest son prince Edward duke of Cornwall. This was done with great solemnity, in full parliament at Westminster, March 17, A. D. 1337, by girding the young prince with the sword, and giving him a patent, containing a grant of the name, title, and dignity of a *duke*, and of several large estates, to enable him to support that dignity (38). This high title was also conferred by Edward on his cousin Henry Earl of Lancaster, and on two of his own younger sons, the princes Lionel and John, at different times, but with the same solemnities (39).

(36) Euvhton, col. 2570.

(37) Prynne, hist. lib. vol. 1. p. 225—228.

(38) Schuch's History of Henry III. p. 621. Rymer, tom. 4. p. 735.

(39) Schuch, p. 612.



AFTER the death of king Robert I. Scotland relapsed into a state of disorder and distress almost equal to that from which it had been rescued by the wisdom, valour, and good fortune of that illustrious prince. The competition for the crown between the Bruce and Baliol families was again revived, and the partisans of these families alternately triumphed and were defeated. King David Bruce, who finally prevailed in this long and fatal contest, spent above nine years of his reign an exile in France, and eleven years of it a prisoner in England. It is not to be imagined, that in this unfortunate reign, which continued forty years, any great improvements could be made in the laws and government of a country in such unhappy circumstances. Two capitularies or systems of laws, which are said to have been made in the reign of David II. are published among the ancient laws of Scotland (40); but there is good reason to suspect, that the laws contained in the first of these capitularies are not genuine. All americiaments for delinquencies are by these laws appointed to be paid in cattle, and not in money, which was not the custom of Scotland in the fourteenth century (41). It is hardly to be supposed, that the parliament of Scotland in this period could be capable of making the following law: "It is statute by the king, that if any man kills another man's dog unjustly, he shall watch his dunghill a year and a day (42)." Some other laws in this collection are still more absurd. The laws contained in the second of these capitularies seem to be genuine, and some of them are of the same import with English statutes of this period (43). But it is not probable that these laws were made, according to the title prefixed to them, "in a parliament holden at Scone, by king David II. November 6, A.D. 1347;" because that prince was then a prisoner in England, and a great part of Scotland had submitted to Edward Baliol. It seems to be impossible to discover with certainty at what time, and by whom, the four books of laws called *Regiam Majestatem* were composed and published. They are by many learned men ascribed to David II. chiefly for this reason, that

Constitution of Scotland.

(40) *Regiam Majestatem*, p. 370—390.

(41) *Id.* p. 370.

(42) Chap. 15.

(43) Compare *Regiam Majestatem*, p. 382—390. with Statutes of Edward III.

they do not think it probable that they were so ancient as David I. But this argument is evidently not conclusive; and the character given in the preface to these laws of that king, at whose command they were collected, cannot, with any regard to truth, be applied to David II. (44). A collection of laws made by Robert II. in a parliament at Scone, May 2, A. D. 1372, are published among the ancient laws of Scotland (45). In these statutes, the distinction between murder committed with deliberate purpose, and manslaughter committed in a sudden gust of passion, called *chaudmelle*, is clearly marked (46): a distinction founded in reason, and worthy of the most serious attention of all criminal judges. In the seventeenth and last chapter of these laws the members of the parliament of Scotland at that time are thus enumerated and described:—"Prelates, and procurators of prelates, and others of the clergy, earls, barons, and burgeses (47)." From the same statute we learn, that the king, at the conclusion of this parliament, promised, on the word of a prince, that he would observe all the laws that had been made in it; and his eldest son, afterwards Robert III. and all the members of the parliament, both clergy and laity, took a solemn oath on the holy gospels to the same purpose (48): a sufficient proof that laws had not a proper degree of authority, when such a ceremony was thought necessary.

(44) See Regiam Majestatem, Preface.

(45) Id. p. 391—395.

(46) Id. *ibid.*

(47) Id. p. 391.

(48) Id. p. 398.

## SECTION V.

*Changes in the Constitution, Government, and laws of Britain, from the accession of Richard II. A. D. 1377, to the accession of Henry IV. A. D. 1399.*

THE constitution and government of England may not improperly be compared to a ship that hath been long at sea, exposed to many violent storms, and in frequent danger of being beat to pieces. Few of those storms were more violent than that which was raised by the villains or common people in the country, A. D. 1381, and threatened the subversion of all order, law, and government (1). But as the history of that dangerous commotion hath been already given, it is sufficient to observe in this place, that it made no change in the constitution, and that the peasants engaged in it were reduced to the same state of depression and servitude under which they had formerly groaned (2).

The parliament of England having undergone many Parliament. changes, and assumed various forms, about the beginning of this reign approached very near to that happy form in which it hath almost ever since continued. It then consisted, as it doth at present, of the two houses of lords and commons, which regularly met, and held their deliberations in two distinct apartments.

The house of lords consisted of all the great men, both House of Lords. of the clergy and laity, who held immediately of the crown by barony, which comprehended all the archbishops and bishops, many abbots, and a few priors, who were the lords spiritual; all the dukes, earls, and barons, who were the lords temporal. Every spiritual and temporal lord received a particular summons to every parliament (3). The justices of the king's bench and

(1) Walsing. p. 247—279.

(2) Statutes, vol. 1. p. 352.

(3) Dugdale's Summons, &c. p. 293.

common pleas, and the members of the king's privy council, who were neither prelates nor barons, were also summoned in the same manner (4). According to this scheme, the house of lords, in the first parliament of Richard II. consisted of the archbishops and bishops, twenty-two abbots, and two priors, one duke, thirteen earls, forty-seven barons, and twelve judges and privy counsellors (5). A greater number of abbots and priors were summoned to some parliaments than to others (6). To that of 49th Henry III. no fewer than sixty-three abbots and thirty-six priors were summoned; whereas not a fourth part of that number were called to several subsequent parliaments in this period (7). The chief reason of this great variation seems to have been this, that these prelates, in order to be relieved from the expence and trouble of attending parliaments, laboured earnestly to procure exemptions from that service, in which many of them succeeded. Those of them who could plead, that they did not hold their lands *per baroniam* (by barony) of the crown, were immediately exempted (8). The king claimed and exercised the prerogative of calling up to the house of lords, by a particular summons to each of them, some of the most opulent and illustrious knights, though they did not hold their lands of the crown by barony; and such of these knights as were regularly summoned for a considerable time, became lords of parliament, and barons, by virtue of these writs of summons. This honour was commonly continued to their heirs, who were summoned to parliament in the same manner (9). In this reign the custom of creating barons by patent was introduced, conferring upon the person so created, and his heirs-male, the honour and dignity of a baron by a certain title, with all the privileges of the peerage. Sir John Beauchamp of Holt, steward of the household to Richard II. was the first baron in England of this kind, who was created lord Beauchamp, baron of Kidderminster, by patent, A. D. 1388 (10). At the conclusion therefore of this period the house of lords consisted of barons of three different kinds, viz.—barons by

(4) Dugdale's Summons, &c. p. 296. (5) *Id. ibid.*

(6) Selden, Tit. Hon. p. 596—604. (7) Dugdale's Summons, p. 1, 2.

(8) Selden, Tit. Hon. p. 605—608. (9) *Id. p.* 591—610.

(10) Selden, Tit. Hon. p. 617, 618.



tenure,—barons by writs of summons,—and barons by patent.

The house of commons, consisting of the knights of shires, with the representatives of cities and boroughs, was now so completely formed, that it was found necessary to chuse one of their own members, at the beginning of every parliament, to preside in their debates, and communicate what they thought proper, in their name, to the king and the house of lords. The member who was chosen to perform these offices was very properly called *the speaker of the house of commons*. Sir Peter de la More, knight of the shire for the county of Hereford, was chosen speaker by the commons in the first parliament of Richard II. A. D. 1377, and is the first upon record who bore that honourable office (11). At his first appearance before the king in the house of lords, at the head of the commons, he made the following protestation: “ That what he had to declare was from the whole body of the commons; and therefore required, that if he should happen to speak any thing without their consents, that it should be amended before his departure from the said place (12).” Sir James Pickering, the second speaker on record, made this humble request in the name of the commons, “ That if he should utter any thing to the prejudice, damage, slander, or disgrace of the king or his crown, or in lessening the honour or estates of the great lords, it might not be taken notice of by the king, and that the lords would pass it by as if nothing had been said; for it was the most ardent desire of the commons, to maintain the honour and estate of the king, and the rights of the crown, as also to preserve the reverence due to the lords in all points (13).” The king, by his chancellor, or some other great officer, made a speech at the opening of every parliament, representing the reasons of calling it, the greatest of which commonly was,—to obtain a grant of money; and this, it was insisted, should be made before they entered on any other business (14). The sum to be granted, and the ways and means of raising it, were commonly settled in a committee of lords and

(11) Cotton Abridg. p. 155. Parliament. Hist. p. 339.

(12) Id. ibid.

(13) Id. ibid. p. 352.

(14) Bishop Ellis's Tracts, vol. 2. p. 21. from the Records.

commons, and sometimes even by the lords, at the request of the commons (15). The clergy still continued to grant their own money in convocation, and treated every attempt of the parliament to tax them as illegal and unconstitutional (16). When the parliament at Northampton, A. D. 1380, proposed to raise one hundred thousand pounds, by a capitation-tax upon the laity, provided the clergy raised fifty thousand, which was their just proportion, since they possessed a third part of the kingdom; the clergy, who were then met in convocation at the same place, made this haughty reply, "That their grants were never made in parliament, nor ought to be; and that laymen neither could nor should constrain them in that case (17)." When the supplies were settled, the commons were permitted to present their petitions to the king in the house of lords, and such of them as were granted were formed into statutes, in the manner that hath been already mentioned (18).

Modesty  
of the  
house of  
commons.

The house of commons, even after it was fully established, acted with much modesty and diffidence, and seems to have stood in awe of the king and the house of lords. Of this many examples might be produced; but the following one will probably be thought sufficient. One Thomas Haxey, a clergyman, and a member of the house of commons in that parliament which met at Westminster January 22, A. D. 1397, proposed to the consideration of the house, a law for reducing the expences of the king's household, and preventing too great a number of bishops and ladies from residing at court. The king being informed of this proposal, was much incensed; and sending for the peers, told them, that he understood there was a bill brought into the house of commons, intrenching upon those prerogatives and royalties which his predecessors had enjoyed, and which he was determined to maintain; and commanded the lords spiritual and temporal to acquaint the commons with this determination, and to charge their speaker, sir John Bussy, upon his allegiance, to deliver up the bill, with the name of the person who had brought it into the house. When the commons re-

(15) Parl. Hist. vol. 1. p. 353. 360.

(16) Parl. Hist. vol. 1. p. 361. Hody's Hist. Convoc. part 3. p. 229.

(17) Parl. Hist. p. 361.

(18) See p. 343.

ceived this message, they came before the king in full parliament, delivered up the obnoxious bill, with the name of its author, and expressed the deepest concern that they had offended his majesty; most humbly praying him to excuse them, "for that it never was their intent to speak, show, or act any thing which should be an offence or give displeasure to his majesty." The king was graciously pleased to accept of their excuse. But the house of lords condemned Mr. Haxey to die the death of a traitor. And this most cruel sentence would probably have been executed upon him, if he had not been a clergyman. But the archbishop of Canterbury, with all the other prelates, fell on their knees before the king, and most earnestly begged his life, and the custody of his body; which they obtained (19).

The sessions of parliament in this, as well as in former periods, were commonly very short, which was attended with many inconveniencies. Laws were made in haste, without due deliberation; and affairs of great importance, which ought to have been discussed in parliament, were left to be determined by the king and his council. To remedy these inconveniencies, certain expedients were sometimes employed, which were productive of still greater evils. In the tenth year of this reign, A. D. 1386, the two houses invested a committee of eleven prelates and peers with parliamentary powers, and compelled the king to grant them a commission to exercise all the prerogatives of the crown, in order to regulate certain affairs which the parliament could not overtake (20). By this measure the constitution was quite subverted for a season, and before it was restored, almost all who had been concerned either in opposing or promoting the above expedient, were involved in ruin. About ten years after a similar method was adopted, by the parliament that met at Shrewsbury January 27, A. D. 1398. On the last day of a session that had lasted only four days, the commons presented a petition to the king in the house of lords, to this purpose,—“That whereas they had before them divers petitions, as well for special persons and others not read and answered, and also many other matters and things had been moved in presence of the king, which for short-

Sessions of  
parliament  
short.

(19) Cotton's Abridg. p. 362.

(20) Parl. Hist. p. 491.

“ nefs of time could not be well determined, that it would  
 “ please his majesty to commit full power to certain lords  
 “ and others, to examine, answer, and dispatch the pe-  
 “ titions, matters, and things above said, and all depen-  
 “ dencies on them (21).” As this parliament was entirely  
 devoted to the court, this petition was readily granted by  
 the king ; and twelve lords and six commissioners were  
 invested with parliamentary powers; which they abused  
 in such a manner, that they brought destruction both on  
 themselves and on their misguided sovereign, who trusted  
 too much to their authority. So dangerous is it for a pre-  
 dominant party to grasp at unconstitutional powers, which  
 they seldom fail to abuse to their own ruin, as well as to  
 the hurt of their country.

Statute  
law.

Many laws that were made in the reign of Richard II.  
 have still a place in our statute-book ; but the far greatest  
 part of them have been as effectually repealed by length  
 of time and change of circumstances, as they could have  
 been by fifty acts of parliament. Of this kind are all the  
 laws for regulating the prices of labour and provisions, as  
 well as many others (22). Some very wise and good laws  
 were made in this reign for the encouragement of navigati-  
 on, trade, and commerce. By one of these laws it was en-  
 acted, that the merchants of England should neither export  
 nor import any goods in any but English ships; which  
 may be considered as our first navigation-act (23). Some  
 good laws were also made in this reign for increasing the  
 number, and regulating the proceedings, of justices of  
 the peace (24). Such as desire a more particular know-  
 ledge of the statutes made in this period, may have re-  
 course to the statute-book, and the ingenious work quoted  
 below (25).

Common  
law.

The common law declined rather than improved in this  
 period. “ Richard II. (says an excellent judge) succeed-  
 “ ing his grandfather, the dignity of the law, together  
 “ with the honour of the kingdom, by reason of the  
 “ weakness of this prince, and the difficulties occurring  
 “ in his government, seemed somewhat to decline, as

(21) Parl. Hist. p. 492.

(22) Statutes, vol. 1. p. 333—424.

(23) Statutes, vol. 1. p. 351. 398. (24) *Id.* p. 380. 386. 398. &c.

(25) Honourable Daines's Barrington's Observations on the Statutes, p.  
 244—282.

“ may



“ may appear by comparing the twelve last years of Edward III. commonly called *quadragesms*, with the reports of king Richard II. wherein appears a visible declination of the learning and depth of the judges and pleaders (26).”

The barbarous disorderly custom of maintenance, as it was called, contributed not a little to disturb the peace of the country, and prevent the impartial administration of justice. Maintenance, which prevailed very much through the whole of this reign, is thus defined in a statute made in a parliament at Westminster A. D. 1377:—“ Divers people of small revenue of land, rent, or other possessions, do make great retinue of people, as well of esquires as of others, in many parts of the realm, giving to them hats, and other liveries, of one suit by year, taking from them the value of the same livery, or percase the double value, by such covenant and assurance, that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people (27).”

The prerogatives of the crown, and the liberties of the people, were both in a very fluctuating unsettled state in the reign of Richard II. In the *hurling times*, as they were called, towards the beginning of this reign, the insurrections of the commons threatened the dissolution of all government;—about the middle of it, a powerful combination of the nobles annihilated the prerogatives of the crown, and engrossed the whole power of the state;—and towards the end of it, the court-party gained the ascendant; and the weak unhappy Richard, supported by a junto of his favourites, invested with unconstitutional powers by an obsequious parliament, acted in a manner so arbitrary and imprudent, that he lost the affections of his subjects, and gave an opportunity to a bold usurper to deprive him of his crown and life. It is difficult to determine, in which of the above situations the people were most oppressed, and the greatest acts of tyranny were perpetrated.

The hereditary revenues of the crown were now become quite inadequate to the expences of government, especially when the nation was engaged in war. This

(26) Hale's Hist. C. L. p. 169.

(27) Statutes, vol. 1. p. 335.

obliged Richard II. who was uncommonly expensive in his household, to make frequent applications to parliaments and convocations for supplies, which were granted almost every year, and consisted, either in additional impositions on merchandise, or in tenths and fifteenths. A tax of a new and singular nature was imposed by parliament, A. D. 1378. This was a capitation-tax, proportioned to the different ranks and degrees of men in society; and on that account it merits our attention. The proportions were as follows:

A duke, 10 marks;—an earl, 4l.—a countess-dowager, 4l.—a baron, banneret, or knight who had as good an estate as a baron, 2l.—every bachelor and esquire, who by estate ought to be made a knight, 20s.—widows of such bachelors and esquires, 20s.—esquires of less estate, 4s. 7d.—widows of such esquires, 6s. 8d.—esquires without lands, that bear arms, 3s. 3d.—chief prior of the hospital of St. John's 40s.—every commander of the order, 20s.—every knight of the order, 13s. 4d.—every brother of the order, 3s. 4d.—judges of the king's bench and common pleas, and chief barons of the exchequer, each 100s.—every serjeant and great apprentice of the law, 40s.—other apprentices of the law, 20s.—attorneys, 6s. 8d.—mayor of London, 4l.—aldermen of London, 40s.—mayors of great towns, 40s.—mayors of smaller towns, 20s. 10s. or 6s. 8d.—jurats of good towns, and great merchants, 20s.—sufficient merchants, 8s. 4d.—lesser merchants, artificers, and husbandmen, according to the value of their estate, 4s. 8d. 3s. 4d. 2s. 1s. 6d.—every serjeant and freeman of the country, 6s. 8d. or 40d.—the farmers of manors, parsonages, and granges, dealers in cattle, and other tradesmen, according to their estate, 6s. 8d. 40d. 2s. or 1s.—advocates, notaries, and proctors, who are married, shall pay as serjeants of the law;—apprentices of the law, or attorneys, according to their estate, 40s. 20s. or 6s. 8d.—apparitors that are married, according to their estate, 3s. 4d. 2s. 1s.—innkeepers, according to their estates, 40d. 2s. 1s.—every married man above the age of sixteen, for himself and wife, 4d.—every man or woman above sixteen, and unmarried, 4d.—every strange merchant, according to his abilities (28).

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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N .

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B O O K IV.

C H A P. IV.

*History of Learning in Great Britain, from the death of  
king John, A. D. 1216, to the accession of Henry IV.  
A. D. 1399.*

THERE seems to have been a succession of light Plan of  
and darkness in the intellectual as well as the material the chapter.  
world. How bright, for example, was the sunshine of  
the Augustan age? and how profound the darkness of  
that long night which succeeded the fall of the western  
empire? From that darkness Britain, and some other  
nations of Europe, began to emerge a little in the ele-  
venth and twelfth centuries, as hath been made appear  
in the fourth chapter of the preceding book of this work.  
In the thirteenth and fourteenth centuries, which are the  
subject of our present enquiries, though the state of  
learning was fluctuating, and some parts of it perhaps  
declined a little; yet, upon the whole, the circle of the  
sciences was enlarged, and some of them were consi-  
derably improved. This, it is hoped, will be evident  
from

from the following very brief account—1. Of the sciences that were cultivated.—2. Of the most learned men who flourished.—3. And of the most considerable seminaries of learning that were established in Britain in the present period.

## S E C T I O N I.

*An account of the Sciences that were cultivated in Britain,  
from A. D. 1216, to A. D. 1399.*

ALL the following sciences were cultivated in the present period, as many of them had been in the former, viz. grammar, rhetoric, logic, metaphysics, physics, ethics, scholastic divinity, the canon law, the civil law, the common law, arithmetic, geography, geometry, astronomy, astrology, optics, mechanics, chymistry, alchymy, medicine, and surgery. And as an account hath been already given of many of them, it will not be necessary to dwell long upon them in this place (1).

**Grammar.** The grammar of the Latin language was not studied with so much diligence and success in this, as it had been in the former period. I know of no British writers of the thirteenth and fourteenth centuries who wrote such pure and classical Latin as John of Salisbury, Peter of Blois, Joseph of Exeter, and several others, who flourished in the twelfth (2). The improvement of the English language, and the more frequent use of it even by scholars, both in conversation and writing, might be one reason that the Latin was not studied with so much ardour as formerly. The impatience of the youth of those times to engage in the study of the canon law, which was then the high way to wealth and honour, was probably another reason that they did not employ a sufficient portion of their time in the study of the lan-

(1) See vol. 3.

(2) Buiar Hist. Univers. Parisiens. p. 556.



guages (3). But, whatever might be the reasons of it, the fact is certain, that the Latin used in the most celebrated seats of learning in the thirteenth century was exceedingly barbarous and ungrammatical. Robert Kilwarby archbishop of Canterbury visited the university of Oxford, A. D. 1276, and with great solemnity pronounced a sentence of condemnation against the following phrases, which were commonly used, and even defended, in that university: "*Ego currit;—tu currit;—currens est ego,*" &c. (4). Nor was this sentence of the primate, though enforced by very severe sanctions, sufficient to banish those barbarisms, or silence their defenders; for when his successor archbishop Peckham visited Oxford, A. D. 1284, he found it necessary to pronounce a similar sentence against the same phrases, and others equally ungrammatical (5).

When the Latin language, which was so much used in churches, colleges, and courts of justice, and in compositions of all kinds, was cultivated with so little care, we cannot suppose that much application was given to the Greek, Hebrew, and Oriental languages. The truth is, they were totally neglected except by very few; and these few were strongly suspected of being magicians, who studied these unknown languages in order to converse more secretly with the devil (6). The famous Roger Bacon, who was unquestionably the most learned man of the thirteenth century, and the best acquainted with the state of learning, assures us, that there were not more than three or four persons among the Latins in his time who had any knowledge of the Oriental languages. That excellent person most pathetically lamented this neglect of the languages, and warmly recommended the study of them by the strongest arguments (7).

When the knowledge of the languages was so defective, rhetoric, or the art of pleasing, affecting, and persuasive speaking, could not be cultivated to great advantage. That part of education however was not quite neglected. Lectures on rhetoric were read in every con-

Greek,  
Hebrew,  
&c.

Rhetoric.

(3) M. Paris. an. 1254.  
Oxon. l. 1. p. 123.

(6) Id. ibid. p. 170.  
p. 44—56.

(4) A. Wood. Hist. Univers.

(5) Id. ibid. l. 1. p. 127.

(7) R. Bacon, Opus Majus.

siderable seat of learning; and such as excelled in it were advanced to the degree of masters or doctors in that art (8). The Dominicans, Franciscans, and other mendicant friars, studied the arts of declamation with no little diligence; because the success of their begging depended very much on the popularity of their preaching. Bederic de Bury, who was provincial of the Augustinians in England in the fourteenth century, was greatly admired by his contemporaries, and is celebrated by several authors for the eloquence of his preaching (9).

Logic.

Logic was one of the fashionable and favourite studies of the times we are now delineating; but unfortunately it was that quibbling contentious kind of logic which contributes little or nothing to the detection of error, the discovery of truth, or the improvement of right reasoning. It is impossible to give an English reader any distinct ideas of this wrangling art in a few words; and it would certainly be improper to employ many on such a subject. It is sufficient to say that the logic of this period was the art of disputing without end and without meaning;—of perplexing the plainest truths, and giving plausible colours to the greatest absurdities. A logical disputant of this period was not ashamed to argue, with as much earnestness as if his life had depended on the issue of the debate,—“That two contradictory propositions might both “ be true (10).” If any of my learned readers have a taste for this kind of erudition, they may amuse themselves with explaining the propositions in the note below, which were keenly agitated by the logicians of this period (11). These frivolous unintelligible disputes were conducted with so much eagerness, that from angry words the disputants sometimes proceeded to blows, and raised dangerous tumults in the seats of learning (12).

(8) A. Wood, part 2. p. 4.

(9) Bale Script. Brit. cent. 6. n. 51. Pits de Illust. Script. Ætat. xiv. n. 657.

(10) A. Wood, lib. 1. p. 129.

(11) 1. Non est suppositio in propositione tam pro propositis de unitate sermonis, quam pro significato.

2. Signum non disponit subiectum in compositione ad prædicatum.

3. Ex negativo de prædicato finito, sequitur, affirmativa de prædicato infinito, sine existentia subiecti.

4. Veritas cum necessitate prædicati tamen est cum existentia subiecti\*.

(12) A. Wood, lib. 2. p. 5.

\* A. Wood, lib. 1. p. 125. 129.

This trifling contentious kind of logic flourished first in the university of Paris, and was brought from thence into the English universities, where it was cultivated with too much ardour, particularly at Oxford, which became very famous in the thirteenth century for the number and subtilty of her logical disputants. The decay of this admired art of wrangling was thus pathetically lamented by an affectionate son of that university, towards the end of the fourteenth century:—"That subtile logic and beautiful philosophy, which rendered our mother, the university of Oxford, so famous over all the world, is now almost extinguished in our schools. As India anciently gloried in her precious stones, and Arabia gloried in her gold, so the university of Oxford then gloried in the multitude of her subtile logicians, and in her prodigious treasures of profound philosophy. But, alas! alas! with grief I speak it, she is now hardly able to wipe away the dust of error and ignorance from her countenance (13)."

Much cultivated at Oxford.

The metaphysics and natural philosophy of this period, like the logic above described, were more verbose, contentious, and subtile than useful. Instead of investigating the laws of nature and the properties of things, by sagacious and well conducted experiments, the natural philosophers of those times invented a thousand abstract questions, on which they disputed with great vehemence, and wrote many tedious and useless volumes. We may form some idea of the subjects of the disputes and writings of those philosophers from the propositions in these sciences which were solemnly condemned by archbishop Peckham, in his visitation of the university of Oxford, A. D. 1284; some of which the reader will find in the note below (14). These, and some other philosophical tenets

Metaphysics and physics.

(13) A. Wood, lib. 2. p. 6.

(14) 1. Tot sunt principia quot principiata.

2. Nulla potentia passiva seu diminuta est in materia.

3. Forma corrumpitur in pure nihil, scil. forma substantialis.

4. Privatio est pure non ens, et ipsa est in superælestibus.

5. Conversiva est generatio animalium sicut elementorum.

6. Vegetativa et sensitiva semel sunt in embryone, et nulla prior alia.

7. Omnes formæ priores corrumpuntur per adventum ultimæ.

8. Substantia, quæ est genus generalissimum, non est simplex nec composita.

9. Mini-

1

tenets of the same kind, particularly this one,—“ *Quod in homine tantummodo existit una forma*,”—That in a “man there is only one form,”—appeared so dangerous to the good archbishop, that he not only condemned them with much solemnity, and subjected such as presumed to teach them to very severe penalties; but he also wrote an account of this important transaction to the pope and cardinals (15).

Experi-  
ments.

The very learned and ingenious friar Bacon laboured with great earnestness, both by his example and writings, to give a different turn to the enquiries of his contemporaries into nature, and to persuade them to have recourse to experiments; which, he observed, were far more convincing and satisfactory than abstract reasonings. This he illustrated by a very familiar example: “Though it were proved (said he) by sufficient arguments, to a man who had never seen fire before, that it burnt and destroyed things that were put into it, he would not be fully convinced of this truth by any arguments, till he had put his hand, or some combustible thing into the fire; which experiment would at once remove all doubt, and bring full conviction (16).” This excellent person, as he assures us, spent no less than two thousand pounds (a great sum in those times) in constructing instruments and making experiments, in the course of twenty years; and it is well known, that by those experiments he made many discoveries, which have excited the admiration of all succeeding ages (17). But the example and the arguments of this extraordinary man were little regarded by his contemporaries.

Moral phi-  
losophy.

Moral philosophy was taught and studied in the schools, in this period, with no little diligence; but in the same dry, contentious, and sophistical manner with the other sciences. Many fums (as they were then called) or sys-

9. Minimum in prædicamento generum est species specialissima.
10. Tempus non est in prædicamento quantitatis.
11. Non est idem secundum subiectum toto tempore.
12. Non habetur ab Aristotele, quod intellectiva maneat post separationem\*.

\* A. Wood, lib. 1.

(15) A. Wood, lib. 1. p. 130.

(16) R. Baconi Opus Majus, p. 445.

(17) R. Bacon in Opere Minore, ch. 17.



tems of morality were composed, by the most learned schoolmen, consisting of various subtle distinctions and divisions on the several virtues and vices, and of a prodigious number of curious unnecessary questions on each of these divisions. For as the logicians of those times too frequently displayed their acuteness, by perplexing the plainest truths, and giving plausible colours to the grossest errors; so the moral philosophers often employed all their art in explaining away the obligations of the most amiable virtues, and the turpitude of the most odious vices. For example, Nicholas de Ultricuria, a famous professor in the university of Paris, A. D. 1300, laboured, in his public lectures, to convince his scholars that in some cases theft was lawful, and pleasing to God. “ Suppose (said he) that a young gentleman of a good family meets with a very learned professor (meaning himself), who is able in a short time to teach him all the speculative sciences, but will not do it for less than one hundred pounds, which the young gentleman cannot procure but by theft, in that case theft is lawful. Which is thus proved.—Whatever is pleasing to God is lawful; —it is pleasing to God that a young gentleman learn all the sciences,—he cannot do without this theft:— Therefore theft is lawful, and pleasing to God (18).” Some still more curious examples of this kind of sophistry might be produced, but they are too indelicate to be admitted into this work (19).

That species of theology known by the name of *school-divinity*, which had been introduced in the former period, was cultivated with uncommon ardour in the thirteenth century, which on that account is called the scholastic age (20). In that century, many of the most celebrated schoolmen flourished, who were universally admired as prodigies of learning; and honoured with the pompous titles of *profound, sublime, wonderful, seraphic, angelic doctors*.

The schoolmen of the former period made the scriptures the chief subject of their studies, and the text of their lectures, as some of them still continued to do, who for that reason were called *Bible-divines*. But in the

(18) Bulæi Hist. Univers. Parisien. tom. 4. p. 311.

(19) Id. tom. 3. p. 442.

(20) Cave, Historia Literaria, p. 699.

course of the thirteenth century, the holy scriptures, together with those who studied and explained them, fell into great neglect, not to say contempt. The *Bible-doctors* were slighted as men of little learning or acuteness; they had few scholars, and were not allowed an apartment, or a servant to attend them, or even a stated hour for reading their lectures, in any of the famous universities of Europe (21). The illustrious Roger Bacon inveighed very bitterly against this abuse; and his excellent friend Robert Great-head bishop of Lincoln, wrote a pathetic letter to the regents in theology in the university of Oxford on this subject; earnestly entreating them to lay the foundation of theological learning in the study of the scriptures, and to devote the morning-hours to lectures on the Old and New Testaments (22). But all these remonstrances and exhortations had little or no effect.

Sententiaries.

The far greatest number, and the most famous of the school-divines of this period, were called *Sententiaries*; because they studied, read lectures, and wrote commentaries on that ancient system of divinity called *the sentences*, written by Peter Lombard archbishop of Paris (23). Some of the most celebrated of those sententiaries, as John Duns Scotus, Albertus Magnus, Thomas Aquinas &c. wrote voluminous sums or systems of divinity, consisting of an incredible number of questions and answers on a great variety of subjects (24). Many of the school-divines applied to the study of letters with uncommon ardour; not a few of them appear to have been men of genius, possessed of great fertility of invention, and of still greater subtilty and acuteness; but want of true taste, and a right direction in their studies, rendered both their genius and application in a great measure useless, if not pernicious. They indulged themselves in a bold, or rather presumptuous freedom of enquiry, into subjects which are beyond the reach of human investigation; which betrayed them into so many errors, that all the singular, whimsical, and pernicious opinions, which have been propagated by modern freethinkers, are to

(21) A. Wood, *Antiq. Oxon.* l. 1. p. 52.

(22) *Ibid.* p. 91, 92.

(23) Cave, *Hist. Liter.* p. 667. *Bibl. Hist. Univers. Parisien.* t. 3. p. 657.

(24) Cave, *Hist. Liter.* p. 727. 728.

be found in the writings of the school-divines of this period.

The spirit of the school-divinity, which now reigned in all the famous universities of Europe, also took possession of the pulpit, in this period, and a new method of preaching was introduced, much more artificial than those methods of public instruction which had been used in former times. History of preaching.

The clergy, before this period, chiefly used two ways of preaching. The first of these was called *postillating*; and those who used it were called *postillators*. This consisted in explaining a large portion of scripture, sentence after sentence, in the regular order in which the words lay, making short practical reflections on each sentence. In this age, when it was usual to give every doctor a name expressive of his peculiar excellence, cardinal Hugo excelled so much in this way of preaching, that he got the name of the *authentic postillator* (25). This ancient method of public instruction is still used in foreign churches, and in the church of Scotland, under the name of *lecturing*. Postillating.

The other ancient way of preaching was called *declaring*; because the preacher, without naming any particular text, declared what subject he designed to preach upon; beginning his sermon with words to this purpose: "In my present sermon, I design, by the grace of God, to discourse on such or such a subject, on the fear of God, for example; and on this subject, I design to lay down some true and certain conclusions," &c. This last way of preaching was most common and most popular, and was not entirely laid aside for more than a century after this period (26). Declaring.

The new method of preaching, which was introduced about the beginning of the thirteenth century, differed from both those ancient methods in several respects. The preacher, at the beginning of his discourse, read a text out of some book and chapter of the Old or New Testament (which had lately been divided into chapters and verses by cardinal Langton (27), as the theme or subject of his sermon. This text he divided into several parts, by the help of that subtle logic and divinity, which were New method of preaching.

(25) A. Wood, *Antiq. Oxon.* l. i. p. 58, 59.

(26) *Id. ibid.*

(27) Hen. Knighton, *apud Script. col.* 2430.

then so much in vogue; and the greater dexterity he discovered in splitting his text into many parts, he was esteemed the greater divine and the better preacher. Having thus divided his text, he formed several heads of discourse on each of these divisions; on which heads he descanted, one after another, subdividing them into many particulars. This new and artificial method of preaching was greatly admired, and generally practised, by the younger clergy of those times. But it was no less warmly opposed and condemned by some of the most learned men of this period, who represented it to be,—a childish playing upon words,—destructive of true eloquence,—tedious and uninteresting to the hearers,—and cramping the imagination of the preacher. Roger Bacon, in particular, speaks of it with great contempt and aversion; and assigns a very singular reason for its gaining ground in his time: “The greatest part of our prelates  
 “ (says he), having but little knowledge in divinity, and  
 “ having been little used to preaching in their youth,  
 “ when they become bishops, and are sometimes obliged  
 “ to preach, are under a necessity of begging and  
 “ borrowing the sermons of certain novices, who have  
 “ invented a new way of preaching, by endless divisions  
 “ and quibblings; in which there is neither sublimity of  
 “ style nor depth of wisdom, but much childish trifling  
 “ and folly, unsuitable to the dignity of the pulpit. May  
 “ God (adds the zealous Bacon) banish this conceited  
 “ and artificial way of preaching out of his church;  
 “ for it will never do any good, nor elevate the hearts of  
 “ the hearers to any thing that is great or excellent  
 “ (28).” The opposition to this new method of preaching continued through the whole of the fourteenth and part of the fifteenth century. Dr. Thomas Gascoigne, chancellor of the university of Oxford, tells us, that he preached a sermon in St. Martin’s church, A. D. 1450, without a text, and without divisions, declaring such things as he thought would be useful to the people. Amongst other things, he told them, in vindication of this ancient mode of preaching,—“That Dr. Augustine had  
 “ preached four hundred sermons to the clergy and the  
 “ people, without reading a text at the beginning of

(28) R. Bacon, apud A. Wood, p. 59.



“ his discourse ; and that the way of preaching by a  
 “ text, and by divisions, was invented only about  
 “ A. D. 1200, as appeared from the authors of the first  
 “ sermons of that kind (29).” But this new method of  
 preaching by a text and divisions, which met with such  
 violent opposition, and was introduced by such slow de-  
 grees, at length prevailed universally, and still prevails.

The supreme authority which Aristotle obtained in the  
 schools of theology, as well as of philosophy, in the  
 course of the thirteenth century, had considerable in-  
 fluence on the state of learning, and even of religion, in  
 this period. The name, and some parts of the writings,  
 of Aristotle, were known in England, and other countries  
 of Europe, long before this time. But it was not till  
 about the middle of the thirteenth century that he ob-  
 tained that dictatorial authority among learned men, and  
 in the most famous seats of learning, that he so long  
 maintained. About that time he began to be called *the*  
*philosopher*, by way of eminence. “ He is preferred  
 “ (says Bacon) before all other philosophers, in the  
 “ opinion of all men of learning ; whatever he hath  
 “ affirmed is received by them as true and sound philoso-  
 “ phy ; and, in a word, he hath the same authority in  
 “ philosophy that the Apostle Paul hath in divinity (30).”  
 To such an extravagant height was this veneration for  
 Aristotle carried before the middle of the fourteenth  
 century, in some of the most famous universities, parti-  
 cularly in that of Paris, that students were obliged to take  
 a solemn oath, to defend the opinions of Aristotle, of his  
 commentator Averrois, and of his other ancient com-  
 mentators (31).

Several causes conspired about this time to exalt Aris-  
 totle to the supreme dominion of the ideal world. Latin  
 translations of different parts of his writings were pub-  
 lished, soon after the beginning of the thirteenth century,  
 by Michael Scot, Alured English, William Fleming, and  
 others ; which made them better known, and more ge-  
 nerally read, than they had formerly been (32). His  
 logics had long been studied and admired, which procur-

(29) T. Gasc. Lex Theolog. apud A. Wood, p. 59.

(30) Bacon, Opus Majus, edit. a Jebb, p. 36.

(31) Bulæi Hist. Univers. Parisien. tom. 4. p. 275.

(32) Bacon, Opus Majus, p. 36, 37. Biographia Britannica, 1st. edit.  
 vol. 1. p. 342.

ed a favourable reception to his other works, especially from the scholastic divines, to whose taste and genius they were admirably suited. Accordingly we find, that Albert the Great, Thomas Aquinas, John Duns Scotus, and all the most famous schoolmen who flourished in this period, devoted much of their time and thoughts to the study and illustration of the works of Aristotle; and that by the authority of these works they chiefly supported their several systems and opinions (33). The court of Rome had formerly discouraged the study of Aristotle's works, because they had given rise to certain unprofitable absurdities, which disturbed the peace of the church, without adding to the honours or riches of the clergy. Such, for example, were the errors of Amaury of Charters, which were condemned by pope Innocent III. and by the council of Paris, A. D. 1209; the council at the same time condemning the metaphysics of Aristotle to the flames,—“because they had not only given rise to  
“ the heresies of Amaury, by their subtilties, but might  
“ give rise to other heresies not yet invented (34).” But the court of Rome having soon after discovered, that the same writings which had served to give plausible colours to idle unprofitable errors, might do the same friendly office to more beneficial and lucrative absurdities, changed its conduct, and recommended the study of Aristotle's works in the warmest manner (35).

Pernicious  
to learning.

It must be obvious, that this extravagant veneration for Aristotle, and blind submission to his opinions, could not but obstruct the progress of real knowledge; especially when it is considered, that very few of his admirers, in this period, were capable of reading his works in their original language, but became acquainted with them only in very faulty incorrect translations. We are assured by the illustrious Roger Bacon, that there were not above four persons among the Latins in his time who understood Greek; and we have good reason to believe, that even Thomas Aquinas, the most admired of all Aristotle's commentators, did not understand that language (36). The very translators of Aristotle's works

(33) Cave, *Hist. Literaria*, p. 695—756.

(34) Du Pin, *Eccles. Hist. Cent. xiii. chap. 8.* Bruckeri *Hist. Philosoph.* edit. 1766. tom. 3. p. 689. 685. 801.

(35) *Id. ibid.* p. 705, 706.

appear to have been a kind of impostors. Bacon affirms, that Michael Scot borrowed all that he published in his own name from one Andrew a Jew; “and as for William Fleming (says he), every body at Paris knows, that he doth not understand the Greek language, though he pretends to it; and therefore he translates every thing falsely, and corrupts the learning of the Latins (37).” It is no wonder therefore, that the same learned person declared, “that the time and labour employed in reading these wretched translations were lost; and that if he could have got all the Latin translations of Aristotle’s works into his hands, he would have thrown them all into the fire, as they were the great cause of the increase of ignorance and error (38).”

The civil and canon laws were studied in this period by many of the clergy, with uncommon ardour; because the knowledge of these laws not only qualified them for the lucrative employment of advocates or pleaders, but also procured them preferment in the church. “The civil and canon laws, says a contemporary writer, are in our days so exceedingly profitable, procuring both riches and honours, that almost the whole multitude of scholars apply to the study of them (39).”

Several other authors of that period complain, that young scholars were so impatient to engage in the study of those laws, that they neglected the study of languages, philosophy, and divinity (40). To remedy this abuse, pope Innocent IV. directed a bull on this subject to all the prelates of France, England, Scotland, Wales, Spain, and Hungary, in which he says, “That his ears had been stunned with reports, that great multitudes of the clergy, neglecting philosophy and theology, crowded to hear lectures on secular laws; and, which was still more abominable, that bishops advanced none to benefices, dignities, and prebends, in the church, but such as were either advocates or professors of law. To put a stop (adds he) to this intolerable evil, I strictly command, by this irrefragable constitution, that no advocate, or professor of laws, shall enjoy any pre-emi-

(37) Biograph. Britan. 1st edit. vol. v. p. 342.

(38) Id. ibid.

(39) R. b. Holcot, apud A. Wood, l. 1. p. 160.

(40) M. Paris, Hist. Ang. an. 1254.

“ nence on that account, or be advanced to any ecclesi-  
 “ astical dignity, prebend, parsonage, or benefice, un-  
 “ less he be competently skilled in other sciences (41.”  
 To this bull his holiness added the following very remarkable clause:—“ As in France, England, Scotland, Wales,  
 “ Spain, and Hungary, the causes of the laity are not  
 “ determined by the Imperial laws, but by certain secu-  
 “ lar customs; and as they might be as well determined  
 “ by the canons of the most holy fathers; and as a mix-  
 “ ture of those customs with the canons doth more hurt  
 “ than good; by the advice, and at the request of our  
 “ brethren, and other religious men, we command,  
 “ that in the aforesaid kingdoms those secular laws or  
 “ customs be no longer taught or studied, provided the  
 “ consent of their kings and princes can be obtained  
 “ (42).” A modest attempt of his holiness to abolish the  
 municipal laws of all those countries, and substitute his  
 own canon law in their room.

Geometry. Geometry, and other branches of mathematical learn-  
 ing, were much neglected in the period we are now ex-  
 amining, especially in the former part of that period. Of  
 this the famous Roger Bacon frequently complains. “ The  
 “ neglect of mathematics (says he) for these thirty or  
 “ forty years past, hath done great harm to learning  
 “ among the Latins (43).” This neglect was so great,  
 (as he assures us), that very few students proceeded fur-  
 ther than to the fifth proposition of the first book of Euc-  
 lid’s Elements; and that there were not above five or six  
 persons then alive, who had made any considerable pro-  
 gress in mathematical learning (44). The truth is, that  
 mathematical studies, in those times, brought neither ho-  
 nour nor profit to those who engaged in them. On the  
 contrary, those few who prosecuted them with ardour and  
 success, were strongly suspected of holding a criminal  
 correspondence with infernal spirits, and on that account  
 were hated and persecuted as magicians (45).

(41) Bulet. Hist. Parisien. tom. 3. p. 265.

(42) *Id.* *Ibid.*

(43) R. Bacon, *Opus Majus*, p. 57.

(44) R. Bacon, *ibid.* A. Wood, lib. 1. p. 122.

(45) Delrye. *Uniquité. Magic.* Naude *Apologie pour les grands  
 Hommes soupçonnés de Magic.*



Arithmetic is so useful and necessary in the common affairs of life, as well as in all other arts and sciences, that the attention paid to it is generally proportioned to the necessities of society, and the state of the other sciences. The Arabian numerals were known and used in Britain in this period, and the use of them contributed very much to improve and facilitate arithmetical operations (46). These operations are thus described by Roger Bacon: "It is necessary that a theologian excel in the knowledge of numbers, and understand all arithmetical operations, viz. numeration, addition, subtraction, mediation, multiplication, division, extraction of the roots, both integers and fractions. He must not only understand vulgar fractions, as halves, thirds, fourths, fifths, &c. &c. but he must also understand astronomical fractions, as minutes, seconds, thirds, fourths, fifths, &c. &c. because in chronological calculations he must have recourse to the motion of the sun and moon, in which such fractions are of capital consideration. He must not only understand the fractions of the Latins and Arabians, but also of the Hebrews, who divide an hour into one thousand and eighty parts. Besides, it is necessary for him to understand the reduction of fractions of different kinds into those of one kind. For if it happens that among integers there are fractions of different kinds, as 7-5ths, 10-7ths, 20-8ths, &c. &c. he will not be able to manage these numbers properly, unless he understand how to reduce these different fractions into one kind of fraction, and so into integers (47)." The above description, it is probable, contains a system of the arithmetic of the thirteenth century, when Bacon flourished; to which very many valuable additions have since been made. John de Basingstoke, archdeacon of Leicester, who had studied several years at Athens, brought the numeral figures of the Greeks into England, and taught the use of them, in the former part of this period (48). These figures may be seen, together with a description of the manner of using them, *apud variantes lectiones*, in Mat. Paris, edit. 1644.

(46) Wallis's Algebra, ch. 4. p. 9—14.

(47) R. Bacon, *Opus Majus*, p. 138.

(48) M. Paris, *Hist. Ang. A. D.* 1252. p. 559. col. 1.

## Geography.

Greater attention was given to geography in the present than in the preceding period, both by princes and men of learning and curiosity. Lewis IX. king of France, sent a friar named William into Tartary, A. D. 1253, to explore that and other countries; of which he wrote a description. Pope Innocent IV. had about seven years before sent friar John de Plano Carpini into the same countries; who also wrote a description of Tartary, and of the manners and customs of its inhabitants (49). From conversing with those and many other travellers, and from reading every thing that had been written on the subject, the indefatigable friar Bacon composed a description of all the countries of Europe, Asia, and Africa, that were known in the thirteenth century; and whoever will give himself the trouble to peruse that description, will find it more extensive and more correct than he could have imagined (50). It appears that this extraordinary person had adorned and illustrated his description by a map, in which the latitude and longitude of places were ascertained by meridian and parallel lines, as in our present maps (51). But unfortunately this map is not to be found in any of the copies of our author's *Opus Majus* yet discovered. It is still more remarkable, that Bacon laboured with great earnestness to prove, that a much greater proportion of our terraqueous globe was dry land, and habitable, especially in the southern hemisphere, than was commonly believed; and that he endeavoured to prove this by the very same arguments which determined Columbus, two centuries after, to go in quest of the new world (52).

## Astronomy.

The following description of the state of astronomy in England in the thirteenth century, drawn by the greatest astronomer of that age and country will be more satisfactory than any thing that can be said on that subject by a modern writer. "Astronomy is the study of the heavenly bodies; by which their dimensions, distances, motions, &c. are investigated. It is either speculative or practical. Speculative astronomy ascertains the number of the heavens and stars, whose dimensions can be comprehended by instruments; and discovers their

(49) R. Bacon, *Opus Majus*, p. 190, 191. 233.(50) *Ib.* *Ibid.* p. 185—236.(51) *Ib.* *Ibid.* p. 186.(52) *Ib.* *Ibid.* p. 184, 185.

“ figures, magnitudes, altitudes, densities, risings, set-  
 “ tings, and motions, together with all the varieties and  
 “ degrees of their eclipses.” It even condescends to spe-  
 “ culate concerning the figure and dimensions of this  
 “ earth which we inhabit, and of its larger divisions,  
 “ which are called climates, and shews the diversity of  
 “ the horizons, and of days and nights, in each of these  
 “ climates. By speculative astronomy all these things,  
 “ and many others connected with them, are determined.  
 “ Practical astronomy teaches us to discover the places,  
 “ aspects, influences, and changes of the stars and plan-  
 “ ets, at any particular time. It attends also to those  
 “ bodies which occasionally appear in the air, as comets  
 “ and rainbows, in order to discover their places, alti-  
 “ tudes, magnitudes, figures, and many other things  
 “ which it is necessary to know. These things are done  
 “ by proper instruments, by astronomical tables, and  
 “ by certain rules and canons invented for that purpose.  
 “ All these investigations are intended to enable the  
 “ astronomer to pronounce a judgment on what things  
 “ can be done by the power of philosophy, not only on  
 “ matter, but on all beings connected with matter, and  
 “ guided by the influences of the heavenly bodies: as  
 “ also, to pronounce a judgment on future events, as  
 “ well as on those that are past and present; and to ad-  
 “ vance wonderful works, for promoting the prosperity,  
 “ and preventing the misery, of mankind, in the most  
 “ beneficent and illustrious manner (53).” To the  
 above description a developement or elucidation of its  
 several parts, of no less than two hundred folio pages, is  
 subjoined.

The learned reader will perceive, that what is called *Astrology.*  
*practical astronomy* in the above description, is no other  
 than judicial astrology; which was more highly admired,  
 and more ardently cultivated, in the middle ages, than  
 any other part of learning. In this vain fallacious sci-  
 ence friar Bacon was a great adept, and so great a be-  
 liever, that he imputed all the wars and other calamities  
 which afflicted England, Spain, Italy, and other coun-  
 tries, A. D. 1264, to the neglect of astrology. “ O  
 “ how happy had it been for the church of God, and

“ how many mischiefs would it have prevented, if the  
 “ aspects and qualities of the heavenly bodies had been  
 “ predicted by learned men, and known to the princes  
 “ and prelates of those times! There would not then  
 “ have been so great a slaughter of Christians, nor would  
 “ so many miserable souls have been sent to hell (54).”  
 But it should be remembered, that this was the foible of  
 the age rather than of the man; and that though astro-  
 logy was fallacious, the study of it contributed not a lit-  
 tle to preserve and improve astronomy.

Mathema-  
 tical instru-  
 ments.

Astronomical instruments, particularly the quadrant,  
 the astrolabe, and specula, or spying-glasses, are fre-  
 quently mentioned by the writers of this period. The  
 quadrant is well known, and in daily use. The con-  
 struction and various uses of the astrolabe are fully de-  
 scribed by the famous poet Geoffrey Chaucer, in a trea-  
 tise composed A. D. 1391 (55). The construction of the  
 specula or spying-glasses used by the astronomers of this  
 period is not so well known. There is however sufficient  
 evidence, that they were applied to the same purposes,  
 and answered the same ends, with our telescopes, which  
 are thought to be of much later invention. “ Specula,  
 “ or spying-glasses (says Roger Bacon), may be erected  
 “ on a rising ground, opposite to cities or armies, in  
 “ such a manner that all things done by the enemy may  
 “ be discovered; and this may be done at any distance  
 “ we please. For according to the laws of optics, an  
 “ object may be viewed through as many glasses as we  
 “ think fit, if they are properly placed; and they may  
 “ be placed, some nearer, and some more remote, so  
 “ that the object may be seen at any distance we de-  
 “ sire.—Spying-glasses may be so formed, and so pla-  
 “ ced, that we shall be able to read the smallest letters  
 “ at an incredible distance, to number even the dust and  
 “ sands, and to make the sun, moon, and stars, to de-  
 “ scend, or at least seem to descend, from heaven (56).”  
 From these passages, to which several others might be  
 added, it appears to be undeniable, that this learned  
 friar was in possession of an instrument of similar use and

(54) R. Bacon, *Opus Majus*, p. 242.

(55) See Chaucer's *Works*, edit. 1711. p. 439—451.

(56) R. Bacon, *Opus Majus*, p. 357.

construc-



construction with our telescope, though not, perhaps, so neat and portable (57).

The science of optics was not known or taught in Eng-<sup>Optics.</sup>land till about the middle of the thirteenth century. We learn from the best authority, that no lectures had been read on that subject, at Paris, or at any other place among the Latins, except twice at Oxford, before A. D. 1267; and that there were only three persons then in England who had made any considerable proficiency in that science (58). Friar Bacon was one of those three; and that he had made great proficiency in it, we have the clearest evidence still remaining, in his admirable treatise (*De Scientia Perspectiva*) of the science of perspective (59). In this treatise he hath explained at great length, and with wonderful perspicuity, the theories of reflected vision or catoptrics, and of refracted vision or dioptrics, as well as of direct vision or optics; and from these theories he hath deduced many useful inventions; and amongst others, that of reading-glasses, which are thus plainly described: "If a man view letters, or  
" other small objects, through the medium of a chrystal or glass, which is the lesser portion of a sphere, whose convexity is towards the eye, he will see the letters much better, and they will appear to him larger. This instrument is useful to old men, and to those who are weak-sighted, because by it they may see the smallest letters of sufficient magnitude (60)." By his skill in catoptrics, he rivalled Archimedes in the constructing of burning-glasses. "I have caused many  
" burning-glasses (says he) to be made, in which, as in a mirror, the goodness of nature may be displayed. Nor are they to be accounted too expensive, when we consider the wonderful and useful things they can perform. The first I got made cost me sixty pounds of Parisian money, equal to about twenty pounds sterling: but afterwards I got a better one made for ten Parisian pounds, or five marks sterling; and since I have become more expert, I have discovered that better ones may be made for two marks, nay for twenty

(57) See Plot's History of Oxfordshire, p. 215.

(58) A. Wood, Hist. Oxon. l. 1. p. 129.

(59) Vide Opus Majus, p. 256. 178.

(60) Vide Opus Majus, p. 35.

" shillings,

“ shillings, or even cheaper. But in this great attention  
 “ and dexterity are required (61).” In a word, there is  
 the clearest evidence in the works of this wonderful  
 man, that he was acquainted with the construction of all  
 the different kinds of instruments for viewing objects to  
 advantage, which have been so much admired as modern  
 inventions (62).

Mechanics.

The study of mechanics as a science was introduced  
 into England about the same time with the study of op-  
 tics, and probably by the same persons. This much at  
 least is certain, that friar Bacon had acquired so extensive  
 a knowledge of the mechanical powers, and their various  
 combinations, and had thereby performed so many sur-  
 prising things, that he was suspected of being a magician.  
 To remove that suspicion, he wrote his famous epistle,  
 concerning the secret operations of art and nature, and  
 the nullity of magic (63). In that epistle he reprobates  
 the use of magical characters, verses, incantations, invo-  
 cation of spirits, and various other tricks, as criminal im-  
 positions on the credulity of mankind; and affirms, that  
 more wonderful works may be performed by the com-  
 bined powers of art and nature, than ever were pretend-  
 ed to be performed by the power of magic. “ I will  
 “ now (says he) mention some of the wonderful works  
 “ of art and nature, in which there is nothing of magic,  
 “ and which magic could not perform. Instruments may  
 “ be made, by which the largest ships, with only one  
 “ man guiding them, will be carried with greater velo-  
 “ city than if they were full of sailors.—Chariots may  
 “ be constructed that will move with incredible rapidity,  
 “ without the help of animals;—instruments of flying  
 “ may be formed, in which a man sitting at his ease,  
 “ and meditating on any subject, may beat the air with  
 “ his artificial wings, after the manner of birds;—a small  
 “ instrument may be made to raise or depress the greatest  
 “ weights;—an instrument may be fabricated, by which  
 “ one man may draw a thousand men to him by force,  
 “ and against their wills;—as also machines which will

(61) R. Bacon, *Opus Majus*. Præfat. p. 9. n.

(62) Vide Glaucæ, *De Opticæ et Progressu Chemicæ*, apud Manget,  
 Epistæbæ, *Chemicæ*, tom. 1. p. 31. Ibid. p. 620.

(63) Manget, *De Philosophia Chemicæ*, tom. 1. p. 616—626.

“ enable

“ enable men to walk at the bottom of seas or rivers without danger :—That all those instruments are made in our times, is most certain, and I have seen them all, but that for flying, which I have never seen, though I am well acquainted with the wise man who invented it (64).”

Another science which was introduced into England in Chymistry. the course of the thirteenth century, was chymistry, or, more properly, alchymy ; for it plainly appears from their writings, that the great object which the chymists of this period had in view was, to obtain these two things :—1. An universal medicine for the cure of all diseases, and for prolonging life beyond its usual limits ;—2. The philosopher’s stone, the powder of projection, or grand elixir, for transmuting baser metals into gold and silver (65). That both these things were attainable, they seem to have been fully persuaded ; and as they are evidently very desirable, they were most ardent and indefatigable in their efforts to obtain them ; and to this must be ascribed the rapid progress of chymistry, and the prodigious number of chymists who flourished in this period. The famous friar Bacon, who was one of the most active and intelligent, as well as one of the most honest and communicative, of those ancient chymists, speaks with great confidence of the reality of a medicine which would answer both the purposes of prolonging life and transmuting metals : “ That medicine (says he) which could remove all the impurities of baser metals, and change them into the finest gold and silver, could also remove all the corruptions of the human body, to such a degree, that life might be prolonged through many ages (66).” The two greatest princes who filled the throne of England in this period, Edward I. and Edward III. were great believers in the art of alchymy, and courted or pressed the most famous alchymists into their service. The celebrated Raymond Lully came into England on the pressing invitation of Edward I. and is said to have furnished that prince with a very great quantity of gold for defraying the expence of

(64) Manget, *Bibliotheca Chémica*, tom. 1. p. 619.

(65) Vide Manget, *Bibliotheca Chémica*.

(66) Bacon, *Opus Majus*, p. 474.

an intended expedition into the Holy Land (67). Of this last circumstance Lully himself is silent; though he mentions several of his transactions in England, particularly the following very remarkable one; “ You saw, O king! “ in thy secret chamber of St. Katharine, in the tower “ of London, that wonderful projection which I made in “ thy presence on chrystal, which I changed into a mass “ of the purest adamant (diamond), more precious than “ that which is natural, of which thou causedst to be “ made some little pillars for the tabernacle of God (68)”. The following curious proclamation was published by Edward III. A. D. 1329, which is a sufficient evidence of his belief in the art of alchymy:—“ Know all men, “ that we have been assured, that John Rows and Mr. “ William de Dalby know how to make silver by the art “ of alchymy; that they have made it in former times, “ and still continue to make it; and considering that these “ men, by their art, and by making that precious metal, may be profitable to us, and to our kingdom, we “ have commanded our well-beloved Thomas Cary to “ apprehend the foresaid John and William, wherever “ they can be found, within liberties or without, and “ bring them to us, together with all the instruments of “ their art, under safe and sure custody (69).”

#### Alchymy.

It is more than probable, that these two great princes, and the other believers in alchymy, were deceived, and in the end disappointed. But it cannot be denied, that some of the alchymists of the thirteenth century, as Albert the Great, Raymond Lully, and friar Bacon, were men of great sagacity as well as industry; and that, when they were engaged in the ardent pursuit of the grand elixir and universal medicine, they made many useful and curious discoveries, which would have excited the admiration of a more enlightened age. This is acknowledged by the most capable judges: “ To speak my mind “ (says Boerhaave) freely, I have not met with any writers on natural philosophy, who treat of the nature of “ bodies so profoundly, and explain the manner of changing them so clearly, as those called *alchymists*. To be “ convinced of this, read carefully their genuine wri-

(67) G. B. Rorick, apud Mangel, tom. 1. p. 44.

(68) Lully, tom. 1. p. 27.

(69) R. B. Rorick, tom. 4. p. 234.



“ tings; for instance, the piece of Raymond Lully,  
 “ which he entitles *Experiments*; you will find him, with  
 “ the utmost clearness and simplicity, relating experi-  
 “ ments which explain the nature and actions of animals,  
 “ vegetables, and fossils; after this you will hardly be  
 “ able to name any author wherein physical things are  
 “ treated of to so much advantage (70).”

It will be sufficient to mention one, out of many of <sup>Discovery</sup> their discoveries. Nothing can be more certain than that <sup>of gunpow-  
der.</sup> friar Bacon had discovered the composition of gunpowder, and the terrible effects it was capable of producing, both which he hath described in several parts of his works, though these things are generally supposed to have been first discovered almost a century after his death. In one place, he says,—“ Sounds like thunder, and corruscation,  
 “ ons, may be made in the air, and even with greater  
 “ horror than those which are made by nature. For a  
 “ little matter, properly prepared, about the bigness of a  
 “ man’s thumb, makes a horrible noise, and produces a  
 “ dreadful corruscation; and by this a city or an army  
 “ may be destroyed in several different ways (71).” In the last chapter of the same treatise, concerning the secret operations of art and nature, he discovers the ingredients of which this terrible thundering composition is made: “ By saltpetre, sulphur, and the powder of wood-  
 “ coal, you may make this thunder and corruscation, if  
 “ you understand the art of compounding them (72).” It is true, that in the original, the letters which compose the words *carbonum pulvere* (powder of wood-coal) are not placed in their proper order. But this is evidently done to prevent the art of making this dangerous composition from being commonly known and practised, because he knew that it might be employed to very pernicious purposes.

Medicine was considerably improved in the period we <sup>Medicine.</sup> are now examining, which seems to have been owing to the following causes. Much greater attention was given to the education of physicians than formerly, and stricter rules prescribed for regulating the time and manner of

(70) Boerhaave’s *Chymistry*, vol. 1. p. 200.

(71) R. Bacon de Secretis Operibus Artis et Naturæ, apud Manget, tom. 1. p. 620.

(72) Id. ibid. p. 124. Biographia Britan. art. Bacon. Freind’s History of Physics, vol. 2. Appendix, No. 5.

their studies. By the laws of the famous medical school of Salernum, made A. D. 1237, and afterwards adopted in other seats of learning, the scholars were obliged to spend three years in the study of philosophy, and five years in the study of medicine, and then to be strictly examined by two doctors of physic, before they could receive a licence to practise (73). The distinction between physicians, surgeons, and apothecaries, was now well understood and much regarded; which could not but contribute to render them all more expert and skilful in their professions (74). The works of the most famous Arabian physicians were now translated into Latin, and read with great avidity; by which the knowledge which these physicians had derived from the Greeks, as well as the discoveries they had made themselves, came to be more generally known (75). And finally the introduction of chymistry must have contributed to the improvement of medicine, by furnishing physicians with tinctures, elixirs, and other chymical preparations, unknown to their predecessors (76).

The clergy  
physicians,  
and some  
of the  
laity.

Gilbert  
English.

The clergy still continued to teach and practise medicine; and the greatest number of physicians were of that order in this period (77). But some of the laity now began to make a figure in this profession, and a few of them even commenced authors. Gilbert English, who flourished in the thirteenth century, is the most ancient medical writer of England, whose works have been printed. His learning and skill in medicine are greatly extolled by Leland and Bishop Bale; but Dr. Freind, who was a much better judge in matters of this kind, is more moderate in his commendations, and contents himself with saying,—“That he wrote as well as any of his contemporaries in other nations; and did no more than they did, if he took the bulk of what he compiled from the writings of the Arabians (78).”

John Gad-  
desden.

John de Gaddesden was the next medical writer of England whose works have been preserved and printed. He

(73) Bulæi Hist. Univer. Paris. tom. 3. p. 158.

(74) Rymeri Fœd. t. 5. p. 486.

(75) Dr. Freind's History of Physic, vol. 2. p. 231.

(76) Id. ibid. p. 250.

(77) Annal. Dunstap. p. 467.

(78) Bale, cent. 3. p. 256. Freind, vol. 2. p. 268. Leland, p. 356.

flourished

flourished in the fourteenth century, and was educated in Merton college, Oxford (79). “ Having acquired (says Leland) a thorough knowledge of philosophy, he applied with great ardour to the study of medicine, in which he made so great proficiency, that he was justly esteemed the great luminary of his age. He wrote a large and learned work on medicine, to which, on account of its excellence, the illustrious title of the *Medical Rose* was given (80).” Our author’s *Medical Rose* is a very curious work, containing a comprehensive system of medicine as it was practised in England in the fourteenth century. In treating of each disease, he gives, 1st. The etymology of its name, and a general description of its nature; 2dly, The symptoms; 3dly, The prognostics; 4thly, The method of cure (81). From this last part, which abounds in receipts, it plainly appears that the physicians of this period were not sparing of their drugs, and that their prescriptions were very complicated (82). It must also be confessed, that the methods of cure recommended by our author are some of them very whimsical, and others superstitious. What can be more whimsical than the following treatment of a patient in the small-pox, immediately after the eruption? “ After this, cause the whole body of your patient to be wrapped in red scarlet cloth, or in any other red cloth, and command every thing about the bed to be made red. This is an excellent cure. It was in this manner I treated the son of the noble king of England, when he had the small-pox; and I cured him, without leaving any marks (83).” The patient whom he treated in this manner must have been either Edward III. or his brother prince John of Eltham. Can any thing be more superstitious than the following method of attempting to cure the epilepsy, which appears to have been recommended by all the most famous physicians of those times, as well as by our author? “ Because there are many children and others afflicted with the epilepsy, who cannot take medicines, let the following experiment be tried, which is recommended by Constantine, Walter, Bernard, Gilbert, and others, which I have found to be effectual,

(79) A. Wood, lib. 2. p. 87.

(80) Leland, p. 355.

(81) Vide Ros. Ang. passim, edit. 1491.

(82) Ibid. ibid.

(83) Id. p. 51.

“ whether

“ whether the patient was a demoniac, a lunatic, or an  
 “ epileptic. When the patient and his parents have fast-  
 “ ed three day, let them conduct him to a church. If  
 “ he be of a proper age, and in his right senses, let him  
 “ confess. Then let him hear mass on Friday, during  
 “ the fast of *quatuor temporum*, and also on Saturday.  
 “ On Sunday, let a good and religious priest read over  
 “ the head of the patient, in the church, the gospel which  
 “ is read in September, in the time of vintage, after the  
 “ feast of the Holy Cross. After this let the priest write  
 “ the same gospel devoutly, and let the patient wear it  
 “ about his neck, and he shall be cured. The gospel is,  
 “ —This kind goeth not out but by prayer and fast-  
 “ ing (84).” The truth is, that though John de Gad-  
 desden was at the head of his profession, consulted by the  
 greatest princes, and celebrated by the greatest poets of  
 his age, he appears to have been little better than an  
 artful, interested quack, of some reading, and furnished  
 with a prodigious number of receipts, which he had col-  
 lected from all hands, and applied often more to his own  
 advantage than to that of his patients (85). But it ought  
 to be remembered, that the empirical superstitious prac-  
 tices of our author and his contemporaries were in a great  
 measure owing to the general ignorance, credulity, and  
 superstition of the times in which they flourished.

Royal  
touch.

To the same causes we must impute the high reputa-  
 tion of the royal touch, at this time, for the cure of the  
 scrophula, of which archbishop Bradwardine, A. D. 1349,  
 wrote in these strong terms: “ Whoever thou art, O  
 “ Christian! who deniest miracles, come and see with  
 “ thine own eyes, come into England into the presence  
 “ of the king, and bring with thee any Christian af-  
 “ flicted with the king’s-evil; and though it be very ug-  
 “ ly, deep, and inveterate, he will cure him in the name  
 “ of Jesus Christ, by prayer, benediction, the sign of  
 “ the cross, and the imposition of hands (86).”

Surgery.

It seems to be impossible to give a better account, in  
 fewer words, of the state of surgery in this period, than  
 that which is contained in the following passage of a syf-

(84) Vide Ros. Ang. edit. 1491. p. 78.

(85) Chaucer, p. 4. col. 2.

(86) Bradwardine de Causa Dei, l. 1. ch. 1. p. 39.



tem of surgery, composed by Guido de Cauliaco, A. D. 1363: "The practitioners in surgery are divided into five sects.—The first follow Roger and Roland, and the four masters, and apply pultices to all wounds and abscesses;—the second follow Brunus and Theodoric, and in the same cases use wine only;—the third follow Saliceto and Lanfranc, and treat wounds with ointments and soft plasters;—the fourth are chiefly Germans, who attend the armies, and promiscuously use charms, potions, oil, and wool;—the fifth are old women and ignorant people, who have recourse to the saints in all cases (87)." John Arden, who removed from Newark to London in the time of the great plague, A. D. 1349, was the most famous surgeon and writer on surgery who flourished in England in this period (88)."

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## SECTION II.

*History of the most learned men who flourished in Britain, from A. D. 1215, to A. D. 1399.*

IT hath been already observed, and must always be remembered, that "the laws of general history, and the limits of this work, will admit only of a very brief account of a few who were most eminent for their learning in every period (1)."

Robert Grouthead or Greathead, the very learned Robert and famous bishop of Lincoln, was born at Stow in Grouthead. Lincolnshire, or (according to others) at Stratbrook in Suffolk, in the latter part of the twelfth century (2). His parents were so poor, that, when a boy, he was reduced to do the meanest offices, and even to beg his bread; till the mayor of Lincoln, struck with his appearance, and the quickness of his answers to certain questions, took

(87) Guido de Cauliaco, apud Freind, vol. 2. p. 320.

(88) Id. ibid. p. 323.

(1) Vol. 3.

(2) Anglia Sacra, tom. 2. p. 326. Tanner, Bibliothec. Britan. p. 345.

him into his family, and put him to school (3). Here his ardent love of learning, and admirable capacity for acquiring it, soon appeared, and procured him many patrons, by whose assistance he was enabled to prosecute his studies, first at Cambridge, afterwards at Oxford, and at last at Paris (4). In these three famous seats of learning, he spent many years in the most indefatigable pursuit of knowledge, and became one of the best and most universal scholars of the age. He was a great master, not only of the French and Latin, but also of the Greek and Hebrew languages, which was a very rare accomplishment in those times. We are assured by Roger Bacon, who was intimately acquainted with him, that he spent much of his time for almost forty years, in the study of geometry, astronomy, optics, and other branches of mathematical learning, in all which he very much excelled (5). Theology was his favourite study, in which he read lectures at Oxford, with great applause (6). In the mean time, he obtained several preferments in the church, and was at length elected and consecrated bishop of Lincoln, A. D. 1235 (7). In this station he soon became very famous, by the purity of his manners, the popularity of his preaching, the rigour of his discipline, and the boldness with which he reproved the vices and opposed the arbitrary mandates, of the court of Rome; of this last it may be proper to give one example. Pope Innocent IV. had granted to one of his own nephews named Frederick, who was but a child, a provision to the first canon's place in the church of Lincoln that should become vacant; and sent a bull to the archbishop of Canterbury, and Innocent, then papal legate in England, commanding them to see the provision made effectual; which they transmitted to the bishop of Lincoln. But that brave and virtuous prelate boldly refused to obey this unreasonable mandate, and sent an answer to the papal bull, containing the following severe reproaches against his holiness, for abusing his power: "If we except the sins of Lucifer and Antichrist, there neither

(3) *Ann. Sacra.* p. 328, 329.

(4) *Id.* p. 330. *Tanner, Bibliothec. Britan.* p. 345, 346. *A. Wood, Hist. Oxon.* l. 1. p. 82.

(5) *R. Bacon, apud A. Wood Hist. Oxon.* l. 1. p. 82. (6) *Id. ibid.*

(7) *Tanner, p. 346. M. Paris, ann. 1235. p. 280.*

“ is nor can be a greater crime, nor any thing more contrary to the doctrine of the gospel, or more odious and abominable in the sight of Jesus Christ, than to ruin and destroy the souls of men, by depriving them of the spiritual aid and ministry of their pastors. This crime is committed by those who command the benefices intended for the support of able pastors, to be bestowed on those who are incapable of performing the duties of the pastoral office. It is impossible therefore that the holy apostolic see, which received its authority from the Lord Jesus Christ, for edification, and not for destruction, can be guilty of such a crime, or any thing approaching to such a crime, so hateful to God, and so hurtful to men. For this would be a most manifest corruption and abuse of its authority, which would forfeit all its glory, and plunge it into the pains of hell (8).” Upon hearing this letter, his holiness became frantic with rage, poured forth a torrent of abuse against the good bishop, and threatened to make him an object of terror and astonishment to the whole world. “ How dare (said he) this old, deaf, doating fool, disobey my commands? Is not his master the king of England my subject, or rather my slave? Cannot he cast him into prison, and crush him in a moment?” But the cardinals by degrees brought the pope to think more calmly, and to take no notice of this letter. “ Let us not (said they) raise a tumult in the church, without necessity, and precipitate that revolt and separation from us, which we know must one day take place (9).” Remarkable words, when we reflect when and by whom they were spoken!

Bishop Grouthead did not long survive this noble stand against the gross corruptions and tyranny of the church of Rome: for he fell sick at his castle of Bugden that same year; and when he became sensible that his death was drawing near, he called his clergy into his apartment, and made a long discourse to them, to prove that the reigning pope Innocent IV. was antichrist. With this exertion his strength and spirits were so much exhausted, that he expired soon after, October 9, A. D. 1253 (10).

Death and character.

(8) M. Paris, Hist. Angl. p. 583 ann. 1253.

(9) Id. ibid.

(10) Id. ibid. p. 586.

A contemporary historian, who was perfectly well acquainted with him, hath drawn his character in the following manner: "He was a free and bold reprimander of the pope and the king,—an admonisher of the prelates,—a corrector of the monks;—an instructor of the clergy,—a supporter of the studious,—a censurer of the incontinent,—a scourge and terror to the court of Rome,—a diligent searcher of the scriptures,—and a frequent preacher to the people. At his table he was hospitable, polite, and cheerful. In the church he was contrite, devout, and solemn: and in performing all the duties of his office he was venerable, active, and indefatigable (11)." The illustrious Roger Bacon, who was most capable, and had the best opportunities, of forming a true judgment of the extent of his learning, by perusing his works, and by frequently conversing with him, hath given this honourable testimony in his favour: "Robert Grossethede bishop of Lincoln, and his friend friar Adam de Marisco, are the two most learned men in the world, and excel all the rest of mankind both in divine and human knowledge (12)."

This most excellent and learned prelate was a very voluminous writer, and composed a prodigious number of treatises on a great variety of subjects, in philosophy and divinity, a catalogue of which may be seen in the works quoted below (13).

Roger Bacon.

Though Roger Bacon was too modest to except himself when he gave the above character for superiority in learning to his patron Robert Grossethede, and his friend Adam de Marisco; it is very certain, that he was superior to them both, and to all his contemporaries, in genius, industry, and erudition. This extraordinary man was born near Ilchester, A. D. 1214, and at a proper age was sent to Oxford, where he prosecuted his studies with so much ardour and success, that he gained the friendship and patronage of the greatest men in that university (14). Having spent some years at Oxford in the study of the languages, logic, and other branches of

(11) M. Paris, Hist. Angl. p. 586.

(12) R. Bacon, apud Angl. Sacr. tom. 2. p. 344.

(13) R. Bacon, apud Angl. Sacr. tom. 2. p. 344. Baleus de Script. Brian. p. 304, &c.

(14) A. Wood, Antiq. Oxon. l. 1. p. 136. Leland. de Script. Britan. tom. 2. p. 1.

philosophy,



philosophy, he removed, according to the custom of those times, to Paris, where he soon became famous for his uncommon proficiency in all the sciences (15). Though he was much admired and caressed at that university, where many of the most ingenious men in Europe then resided, he returned into his native country A. D. 1240, being then about twenty-six years of age (16). As the love of learning was his ruling passion, he settled at Oxford, and entered into the Franciscan order of monks in that city, that he might prosecute his studies in tranquillity and with advantage.

Our Bacon soon abandoned the beaten track which was pursued by the scholars of that period, who spent their time in the study of very faulty translations of the works of Aristotle, and in reading commentaries on those works which had been written by men who did not well understand the original language. That he might not mispend his time in the same manner, he made himself a perfect master of the Greek tongue. Not contented with this, he applied directly to the study of nature, and engaged in a course of laborious, expensive, and well-conducted experiments, as the only means of arriving at certainty and of making useful discoveries (17). By the generosity of his friends and patrons he was enabled to expend on these experiments, in twenty years, no less a sum than two thousand pounds, equal in weight of silver to six thousand pounds, and in efficacy to thirty thousand pounds, of our money at present (18). This was indeed a great sum; but no money was ever better employed: for in the course of those experiments he made a greater number of useful and surprising discoveries in geometry, astronomy, physics, optics, mechanics, and chymistry, than ever were made by one man in an equal space of time.

But the world was long deprived of the advantage, and Bacon of the honour, of those discoveries, by the ignorance, envy, and malice of the monks of his order. For believing, or pretending to believe, that he was a magician, and held a criminal intercourse with infernal spirits, they put him under close confinement, and prohibited him

Manner in  
which he  
studied.

His suffer-  
ings.

(15) A. Wood, *Antiq. Oxon.* l. 1. p. 136.

(16) Ouden de Script. *Eccles.* tom. 3. p. 191.

(17) Bacon, *Opus Majus*, p. 445, &c.

(18) A. Wood, *Hist. Oxon.* l. 1. p. 136.

from sending any of his writings out of his monastery, except to the pope (19). In this confinement he languished several years; till having sent a copy of his *Opus Majus* to pope Clement IV. A. D. 1266, that pontiff procured him some mitigation of his sufferings, if not his full liberty (20). But he did not very long enjoy that relaxation, as he was again imprisoned by Jerom de Esculo, general of the Franciscan order, A. D. 1278; because his works, it was pretended, contained some suspected novelties (21). In this second confinement Bacon continued about eleven or twelve years, when he was set at liberty by pope Nicholas IV. at the earnest request of several noblemen (22). Though he was now old, and no doubt much broken by his long and cruel sufferings, he still continued to prosecute his studies, by polishing his former works, and composing new ones, till death put an end to all his calamities, and all his labours, at Oxford, June 11, A. D. 1292 (23).

78 years.  
His discoveries.

We cannot but lament that friar Bacon met with so many discouragements in the pursuit of useful knowledge. If he had lived in better times, or if he had even been permitted to prosecute that course of inquiries and experiments in which he engaged after his return from Paris, it is highly probable that the world would have had many valuable discoveries that are still unknown. An excellent modern writer having enumerated some of Bacon's discoveries, viz.—his discovery of the exact length of the solar year, and a method of correcting all the errors in the kalendar;—his discovery of the art of making reading-glasses, the camera obscura, microscopes, telescopes, and various other mathematical and astronomical instruments;—his discovery of gunpowder, of the method of making elixirs, tinctures, solutions, and of performing all the chymical operations that are now in use;—his discoveries of the nature of the mechanical powers, and of the best methods of applying and combining them in the construction of machines for performing many useful and surprising operations;—his discoveries in medicine, for

(19) R. Bacon, *Epist. ad Clement IV.* apud *Biograph. Britan.* vol. 1. p. 343.

(20) *Id. ibid.* p. 345.

(21) Wadding. *Annal. Frat. Minor.* tom. 2. p. 449. Spondan. *Annal.* A. D. 1278.

(22) A. Wood, *Hist. Oxon.* l. 1. p. 79.

(23) *Id. ibid.*

curing

curing diseases, and prolonging life ;—this writer, I say, having enumerated these discoveries, proceeds in the following manner : “ These are wonderful discoveries for  
 “ a man to make, in so ignorant an age, who had no  
 “ master to teach him, but struck it all out of his own  
 “ brain : but it is still more wonderful, that such disco-  
 “ veries should lie so long concealed, till in the next suc-  
 “ ceeding centuries other people should start up, and lay  
 “ claim to the merit of these very inventions, to which  
 “ Bacon alone had a right (24).”

According to Leland, Bale, and other literary histo-<sup>His writ-</sup>  
 rians, the writings of friar Bacon were very nume-<sup>ings.</sup>  
 rous (25). But it plainly appears, that these writers  
 have divided one work into many, and, by multiplying  
 titles, have represented them as much more numerous  
 than they really were (26). It is to be hoped, that some  
 man of learning, leisure, and industry, and placed in fa-  
 vourable circumstances, will soon arise, who, by employ-  
 ing his time in collecting, arranging, and publishing all  
 the genuine works of the illustrious Roger Bacon, will  
 do honour to his country, and justice to the memory of  
 one of the greatest men it ever produced.

Michael Scot of Balwirie was born in the last years of<sup>Michael</sup>  
 the twelfth, or the first of the thirteenth century, at the<sup>Scot.</sup>  
 seat of his family, in the county of Fife in Scotland (27).  
 Having received the first part of his education in his na-  
 tive country, he was sent to Oxford, where many of the  
 Scottish youth in those times prosecuted their studies.  
 How long our author continued at Oxford, is unknown ;  
 but, according to the custom of other lovers of learning,  
 he went from thence to Paris, where he obtained the  
 highest academical honours, and the title of *the Mathe-*  
*matician* among the learned, and of *the Magician* among  
 the vulgar (28). The fame of his learning procured him  
 an invitation from the emperor Frederick II. who was by  
 far the most learned prince in Europe, and the greatest  
 encourager and patron of learned men that flourished in

(24) Dr. Freind's History of Physic, vol. 2. n. 239, edit. 4.

(25) Leland de Script. Britan. tom. 2. p. 258. Bale, Script. Britan. cent. 4. p. 342.

(26) See Biograph. Britan. Life of R. Bacon.

(27) Dempster, lib. 12. p. 494.

(28) Bulæi Hist. Univers. Paris. tom. 3. p. 701. Bale, de Script. Britan. cent. 4. p. 351.

the thirteenth century. One of the literary projects of that excellent prince was, to procure Latin translations of the works of Aristotle, and of the other philosophers and physicians of Greece; and in the execution of this project, Michael Scot was employed during some part of the time that he resided at the Imperial court. For this task he was believed to be better qualified than many other scholars, by his knowledge of Aristotle's philosophy, and of the Greek and Arabic languages. Accordingly we are told by friar Bacon, that the translations of the physical and mathematical works of Aristotle, and of his best commentators, that were published by Michael Scot A. D. 1230, were the cause of the high admiration and supreme authority which that philosopher obtained among the Latins after that period (29). These translations our author dedicated to his illustrious patron the emperor Frederick II. at whose desire they had been undertaken and executed.

**His studies.** Michael Scot, like many of his contemporaries, spent too much of his time and thought in the study of astrology. On this vain fallacious science he composed a very voluminous work, at the command of the same emperor, to whom he was astrologer; an office which was in those times both lucrative and honourable (30). He was also keenly engaged in the study of alchymy, or the transmutation of metals; and wrote a book on the nature of the sun and moon, which, in the mystical language of alchymists, signify gold and silver (31). Influenced by the prevailing taste of the times in which he flourished, he even applied to the still more frivolous studies of chiromancy and physiognomy, which pretend to teach the art of discovering the dispositions and fortunes of men, by the lines of their hands and features of their faces. In a word, the following character of this author, drawn by one who had perused his works, seems to be very just: "He was one  
" of the greatest philosophers, mathematicians, physicians,  
" and linguists of his age, and, had he not been too much  
" addicted to the vain studies of judicial astrology, alchy-  
" my, physiognomy, and chiromancy, he would have  
" deserved better of the republic of letters. His too  
" great curiosity in these matters made the vulgar look

(29) R. Bacon, *Opus Majus*, p. 36, 37.

(30) *Tractatus de Scriptis*, Aug. p. 526.

(31) *Marston's Lives of Scots Writers*, vol. 1. p. 211.



“ upon him as a magician ; though none speaks or writes  
 “ more respectfully of God and religion than he does  
 “ (32).” So strong were the convictions of his countrymen that he was a magician, that Dempster assures us, many people in Scotland in his time dared not so much as to touch his works (33).

After the death of his illustrious patron, the emperor His death. Frederick II. A. D. 1250, our author returned into Britain, where he is said to have lived to a very great age, and to have died A. D. 1290 (34).

John Duns Scotus was so famous for his genius and John Duns Scotus. learning, that England, Scotland, and Ireland, have contended for the honour of his birth (35). This controversy I shall not take upon me to determine ; though his name seems to favour the opinion, that he was born at Duns in Berwickshire, or the Merse, in Scotland (36). The precise time of his birth is also unknown ; but from several circumstances it appears most probable, that it was about A. D. 1265. He entered, when he was very young, into a monastery of the Franciscans at Newcastle ; who, discovering the quickness of his genius, sent him to Merton college in Oxford, to prosecute his studies (37). In this famous seat of learning, our young scholar soon became conspicuous by the rapidity and facility with which he advanced in the acquisition of all the sciences. In particular, he greatly excelled all his contemporaries in the admired art of logical disputation, by the quickness and subtilty of his distinctions, and the fecundity of his invention. He made great progress in natural and moral philosophy, and in all the different branches of mathematical learning ; after which he applied to the study of the civil and canon law, and school-divinity (38). When our author had for some time enjoyed a fellowship in his own college, he was advanced to the theological chair in the university A. D. 1301 : a station for which he was admirably fitted, and in which he had opportunity of displaying, to great advantage, the immense stores of

(32) Mackenzie's Lives of Scots Writers, vol. 1. p. 214.

(33) Tanner, p. 526.

(34) Bale, cent. 4. p. 352.

(35) Du Pin, cent. 14. p. 52. (36) Mackenzie's Lives, vol. 1. p. 215.

(37) Bruckeri Hist. Philos. tom. 3. p. 826.

(38) Bruckeri Hist. Philos. tom. 3. p. 846. Cave Hist. Lit. Append. p. 2.

learning which he had amassed. Accordingly we are told that his lectures on the sentences of Peter Lombard were attended by incredible multitudes of hearers, and received with great applause. For at the time when these lectures were delivered, we are assured, that there were no fewer than thirty thousand students in the university of Oxford, of whom many were attracted by the fame of our professor's eloquence and learning (39). These admired lectures have been printed, and, together with some comments upon them, fill six folio volumes (40).

Removes to  
Paris.

Oxford was not long permitted to enjoy the advantage of so popular a professor. For he was commanded by the general of his order, A. D. 1304, to remove to Paris, to defend his doctrine of the immaculate conception of the Virgin Mary, which was impugned by the divines of that city. This he performed with great applause, in an assembly of the university of Paris, called for the determination of that important question. The adversaries of the immaculate conception collected all their force on this occasion, and produced no fewer, it is said, than two hundred objections to that doctrine. "Scotus heard them with great composure; and in his reply, he recapitulated all their objections, and refuted them with as much ease as Sampson broke the cords of the Philistines; after which he proved, by many strong arguments, to the amazement and conviction of all his hearers, that the most holy Virgin was conceived without the stain of original sin. The university of Paris bestowed on him the title of *the subtle Doctor*, as a reward for his victory in this famous dispute (41)." One of this illustrious assembly, who was a stranger to the person, but not to the fame, of Scotus, was so much charmed, that he cried out,—“This is either an angel from heaven, a devil from hell, or John Duns Scotus (42).”

Removes to  
Cologne.

When Scotus had continued about four years at Paris, he was sent by Gonsalvo, the general of the Franciscan order, to Cologne, A. D. 1308, to found an university

(39) Bruckeri H. A. Philos. tom. 3. p. 826. A. Wood, l. 1. p. 80. Cave, Append. ad Hist. Lbr. p. 2.

(40) Du Pin, cent. 14. chap. 5.

(41) Petri Hist. Univ. Paris. tom. 4. p. 70.

(42) Hugo Cavillus in Vita J. Duns Scoti.

in that city, in imitation of that of Paris, and to defend his favourite doctrine of the immaculate conception against the disciples of Albert the Great (43). He met with a most honourable reception at Cologne; but died soon after his arrival, November 8, A. D. 1308, in his forty-fourth year, or, according to some historians, only in the thirty-fourth year of his age (44).

Few men of learning have been so much admired by Praised. their contemporaries, or loaded with such extravagant praises by their followers, who from him were called *Scotists*, as John Duns Scotus. It may not be improper to give one example of the pompous strain of these panygyrics: "He was so consummate a philosopher, that " he could have been the inventor of philosophy, if it " had not before existed. His knowledge of all the mys- " teries of religion was so profound and perfect, that it " was rather intuitive certainty than belief. He de- " scribed the divine nature as if he had seen God;— " the attributes of celestial spirits, as if he had been an " angel;—the felicities of a future state, as if he had " enjoyed them;—and the ways of providence, as if he " had penetrated into all its secrets. He wrote so many " books, that one man is hardly able to read them, and " no one man is able to understand them. He would " have written more, if he had composed with less care " and accuracy. Such was our immortal Scotus, the " most ingenious, acute, and subtle, of the sons of " men (45)." It is related of him, that he sometimes fell into such profound meditations, that he remained several hours motionless, and insensible to all external objects (46). In a word, it may be affirmed, without exaggeration, that few men ever possessed a more fertile invention, a more retentive memory, a more acute and penetrating genius, or a more unremitting application to study, than John Duns Scotus; but, unfortunately for him, and for the world, all these noble talents were misapplied and wasted on the subtleties of school-philosophy and the absurdities of school-divinity. Considering the shortness of his life, he was one of the most voluminous

(43) Beleri Hist. tom. 4. p. 970.

(44) Id. ibid. Hugo Cavillus in Vita.

(45) Bruckeri Hist. Philos. tom. 3. p. 828. n.

(46) Hugo Cavillus in Vita J. D. S. ch. 3.

writers that ever lived. Many of his writings have been several times printed; but the most complete edition of his works is that which was published by Waddingus, at Lyons, A. D. 1639, in twelve volumes folio (47). These works, which were so highly admired that about twenty different authors wrote commentaries upon them, are now consigned to dust, and almost quite neglected.

William  
Ockham.

William Ockham, one of the most distinguished disciples of John Duns Scotus, and the founder of a sect of schoolmen called *Ockhamists*, was born at Ockham, in Surrey, about A. D. 1280 (48). When he was very young, he entered into the order of St. Francis, and prosecuted his studies with great ardour and success, first at Oxford, and afterwards at Paris (49). In both these universities he was a constant hearer and great admirer of Scotus; but being of a bold inquisitive spirit, he did not yield an implicit faith to all the doctrines of his illustrious master. On the contrary, he impugned some of his opinions with so much vigour and success, that he obtained many followers, who, on that account, were called *Ockhamists*; and sometimes *Nominals*, because they waged a long and fierce war against another sect of schoolmen, called *Realists*, about certain metaphysical subtilties which neither of them understood (50).

Defends the  
emperor  
against the  
pope.

Ockham acted a very conspicuous part in those violent disputes which disquieted the christian world during the pontificate of John XXII. from A. D. 1316 to A. D. 1334; and in all those disputes he opposed the heretical principles and ambitious pretensions of the pope with great vivacity and courage. He was made provincial of the Franciscans in England, in a general assembly of the order, A. D. 1322; and in that assembly he very boldly defended the principles of that party of the Franciscans who were called *the Spiritual Brethren*, which the pope had condemned as heretical, by two solemn decrees (51). He also impugned, with much vehemence, the favourite doctrine of John XXII.—that the souls of good men were not admitted to the vision of God, and the happiness of heaven,

(47) Du Pin, cent. 14.

(48) Bruckeri Hist. Philosoph. tom. 3. p. 846.

(49) Island de Script. Britan. tom. 2. p. 323.

(50) Vide Bruckeri Hist. Phil. tom. 3. p. 904—912.

(51) Id. ibid. p. 847. Du Pin, cent. 14. ch. 3.



till after the resurrection. His holiness was so much enraged at this presumption, that he pronounced the terrible sentence of excommunication against our author; which obliged him to live in great privacy for several years. In this retirement he composed some of his works, particularly his *Compendium of the heresies of pope John XXII.* of which he enumerated no fewer than seventy-seven (52).

Our author at length found a powerful protector in Lewis of Bavaria, emperor of Germany, in whose court he took shelter, A. D. 1328 (53). This prince, who had been long and cruelly persecuted, and at last deposed and excommunicated, by the pope, received his fellow-sufferer in a very gracious manner, and appointed him one of his privy counsellors. In return for these favours, Ockham published several treatises in defence of the emperor, and in opposition to that favourite maxim of the papal court, which had been boldly avowed by Boniface VIII. A. D. 1301,—*That all emperors, kings, and princes, are subject to the supreme authority of the pope in temporals as well as spirituals* (54). In opposition to this dangerous doctrine, which was not very suitable to the humble title of *the Servant of Servants*, Ockham maintained,—That the emperor was subject to none but God in temporals. The learned Selden gives the following high character of one of our author's political treatises, published on this occasion.—“It is a most learned and ingenious work, which merits the highest commendations; and, in my opinion, it is the very best performance published concerning the limits of the spiritual and temporal powers (35).” So much did these spirited publications of our author contribute to support the emperor's cause, that he used to address that prince in this familiar manner: “If you will defend me by your sword, I will defend you by my pen (56).”

During the life of the emperor, his protector, Ockham, smiled in safety at the impotent rage of three successive popes, John XXII. Benedict XII. and Clement VI. who denounced the most direful anathemas against

Retires to  
the emperor's court.

Obliged to  
recant.

(52) Tanner de Script. Angl. &c. p. 555.

(53) Id. ibid.

(54) Bul. Hist. Univer. Paris. tom. 4. p. 7.

(55) Selden de Synedr. l. 1. c. 10. p. 228.

(56) Wharton, apud Cave, Hist. Lit. Append. p. 26.

him. But after the death of that prince, which happened October 11, A. D. 1347, he found himself no longer in a capacity to brave the papal thunders, and was constrained to court a reconciliation with the church by the most humiliating submissions. Some literary historians indeed say, that he died about six months before the emperor, his patron, April 10, A. D. 1347 (57). But this is evidently a mistake; for, by the intercession of the Franciscan order, he obtained absolution from Clement VI. by a bull dated at Avignon, June 19, A. D. 1349, upon condition of renouncing all his former heresies, and swearing implicit submission to every papal decision and mandate for the future (58). He did not long survive this mortifying abjuration of all those opinions which he had laboured with so much ardour to establish, dying at Capua, in Italy, September 20, A. D. 1350 (59). He was unquestionably a man of genius, industry, and learning, and would have been happier and more useful if he had lived in better times. A catalogue of his numerous works may be seen in the authors quoted below (60). According to the custom of the age in which he flourished, he was honoured with the pompous title of *the singular and invincible Doctor*.

John  
Wickliff.

The most important events in the life of the famous Dr. John Wickliff, who is well intitled to a distinguished place in the history of his country, for his noble efforts to deliver it from the intolerable tyranny of the church and court of Rome, have been already mentioned; and therefore a very brief account of his personal history, character, and literary labours, will be sufficient in this place (61). He was born in the parish of Wickliff, near Richmond, in the county of York, about A. D. 1324 (62); and educated at Oxford, where he merited the highest academical honours, obtained successively the government of Baliol and Canterbury colleges, and was advanced to the professorship of divinity (63). His theological lectures were delivered to crowded audiences, and received with incredible applause; which contributed not

(57) Tanner, p. 556. (58) Bal. Hist. Univers. Paris. tom. 4. p. 117. (59) Tanner, p. 556. (60) Id. ibid. Wharton, p. 26. Leland, p. 324. Bal. cont. v. p. 306.

(61) See chap. 2. § 2.

(62) Tanner, p. 767.

(63) Wharton, p. 50.

a little to disseminate his doctrines, which were very different from those of the church at that time (64). In particular, he combated with great spirit the exorbitant power and ambitious pretensions of the court of Rome in temporals as well as spirituals; and with equal spirit he opposed the encroachments of the begging friars, who were the great supporters of the papal power (65). Having entered into holy orders, and obtained, first, the living of Fillingham in Lincolnshire, and afterwards the rectory of Lutterworth in Leicestershire, he further propagated his opinions, by his frequent, eloquent, and popular preachings (66). By his numerous writings in the English language he still further diffused the knowledge of his doctrines, and exposed the sloth, hypocrisy, and other vices of the mendicant friars, together with the various corruptions of the court and church of Rome. In a word, such was the success of the teaching, preaching, and writings, of our author, that a contemporary historian, who appears to have been his most inveterate enemy, assures us,—"that more than one half of the people of England became his followers, and embraced his doctrines (67)." The violent opposition which he encountered from the pope and clergy, the powerful support he received from the duke of Lancaster, and other great men among the laity, as well as the time and manner of his death, have been already mentioned (68). But it may not be improper to take notice in this place, that the malice of his enemies did not permit him to remain in quiet in his grave. In consequence of a decree of the council of Constance, and a bull of pope Martin V. directed to Robert Fleming bishop of Lincoln, his bones were taken up and burnt, and the ashes thrown into a rivulet (69): an act of impotent malevolence which is hardly credible!

The pope and clergy not only persecuted the person of Dr. Wickliff during life, and his ashes after death, but did every thing in their power to blacken his character and destroy his works. The two monkish historians, Walsingham and Knyghton, his contemporaries, have

Calumnies  
of the  
clergy.

(64) Leland, p. 379.

A. Wood, p. 181.

p. 304, &c.

(68) See chap. 2. § 2.

(65) Lewis's Life of Wickliff, p. 216.

(66) Knyghton, col. 2663. Walsing.

(67) Knyghton, col. 2664.

(69) Lewis, p. 110.

given him almost every opprobrious name in the Latin language; but have not been able to accuse him of any immorality (70). His doctrines were condemned by various councils after his death; and his works which contained these doctrines were burnt whenever they could be found. Subynco archbishop of Prague in Bohemia (where the doctrines of Wickliff had made great progress), publicly burnt more than two hundred volumes of his works that were beautifully written, and finely bound and ornamented (71). About the same time a great number of his books were publicly burnt at Oxford, by a decree of the university, and under the inspection of the chancellor (72). But all these attempts to destroy the works of Wickliff were ineffectual; and we have good reason to believe that some copies of all his numerous publications escaped. The learned bishop Bale, who flourished in the sixteenth century, affirms, "That he had seen about one hundred and fifty treatises of Dr. Wickliff, some of them in Latin, and others in English, besides his translations of several books (73)." His translation of the Bible into English was one of his greatest and most useful works: for a catalogue of which works the authors quoted below may be consulted (74).

Praises.

The endeavours of the pope and monks to blacken the character, and diminish the fame, of Dr. Wickliff, were as ineffectual as their attempts to destroy his works. The superiority of his genius and learning was so conspicuous, that it was acknowledged by his greatest enemies. The historian Knyghton, who hated him heartily for his attempt to reform the church, is constrained to own, "that no man excelled him in the strength and number of his arguments; and that he excelled all men in the irresistible power of his eloquence in disputation (75)." Walden, who was his most inveterate enemy, acknowledged, in a letter to pope Martin V. "that he had often stood amazed beyond measure at the excellence of his learning, the boldness of his assertions, the exactness of his authorities, and the strength

(70) Walsing. p. 205. 208. 246. 283. Knyghton. col. 2644—2661.

(71) *Æneas Sylvius Hist. Bohem.* chap. 35.

(72) A. Wood, l. i. p. 204.

(73) Tanner, *Bibliothec. Britan.* p. 771.

(74) *Id. ibid.* Wharton, p. 53. Bale cent. 6. ch. 1.

(75) Knyghton, col. 2664.



“ of his arguments (76).” The following character of this great and good man was drawn by an able hand, and appears to be just: “ Dr. John Wickliff was a man, “ than whom the christian world in these last ages had “ not produced a greater.—He excelled all his contemporaries in all the different branches of theological “ learning, and in the knowledge of the civil and canon “ law. His heart was inflamed with the most ardent love “ to God, and good-will to men; which excited him to “ the most strenuous efforts to restore the church to its “ primitive purity. The eminence of his piety and virtue his greatest adversaries never dared to call in question, and to the superiority of his natural and acquired “ abilities they have been compelled to bear testimony (77).”

Several other school-divines and philosophers flourished in Britain, in the thirteenth and fourteenth century, and for a season enjoyed a considerable share of literary fame; but as their works are now neglected, it would be improper to swell their section with this history.

The British historians of this period were very numerous; but only a very few of them were so conspicuous for their abilities as to merit a place in the general history of their country; and of these few it will be sufficient to give a very brief account: Historians.

Though Mathew Paris was unquestionably one of the most faithful and best informed of all the English historians of the thirteenth century, his own personal history is very imperfectly preserved; and is chiefly to be collected from his own writings. We are not informed of the particular time or place of his birth, nor from what family he was descended. The first circumstance of his life we know with certainty is, that he took the habit of a monk, in the abbey of St. Alban's, January 21, A. D. 1217 (78). In this abbey he continued long, and became so famous for his learning, piety, and virtue, that he obtained the esteem and confidence of several great princes. With his own sovereign Henry III. he appears to have been on a very friendly and familiar footing; not only employed in his service, but entrusted with his secrets, in- Matthew Paris.

(76) Bale, cent. 6. c. 1. p. 456. Wharton, p. 52.

(77) Bale, cent. 6. c. 1. p. 456. Wharton, p. 52.

(78) M. Paris, edit. Parisiæ, A. D. 1644. Præfat. p. 3.

vited to his table, favoured with long and frequent conversations, and even assisted in the composition of his history of England (79). "He who wrote this (says he) "was almost constantly with the king in his palace, at "his table, or in his closet; and that prince guided his "pen in writing in the most diligent and condescending "manner (80)." At the same time our author stood in the highest point of favour with Haco king of Norway, a wise and learned prince, with whom he corresponded by letters, and for whom he transacted some important affairs in London, to his entire satisfaction (81). At length, when the monks of that kingdom had become extremely ignorant and disorderly, Matthew Paris was esteemed the most proper person in the church to be employed in an attempt to instruct and reform them. Accordingly, in compliance with a bull from pope Innocent IV. and an earnest application from the king of Norway, he made a voyage into that country, A. D. 1248, where he spent about a year in restoring monastic discipline to its primitive strictness and regularity (82). During his residence in Norway, he acted also as ambassador for Lewis IX. king of France, whose friendship he had gained by his learning and integrity (83). But though our author was a favourite, he was not a flatterer, of kings. On the contrary, he expostulated with and admonished his own sovereign with much freedom, when he acted imprudently or unjustly (84). When Henry III. had granted, by charter, to one of his courtiers, a liberty of hunting in the lands belonging to the abbey of St. Alban's, directly contrary to the privileges which he had before granted by charter to that abbey, our author tells us, that he went boldly to the king, and reproached him for this unjust proceeding; to which the king replied, that he had only imitated the pope, who daily revoked the privileges he had granted, and bestowed them upon others, by the clause of *non obstante* in his bulls (85). No historian who hath recorded the transactions of his own countrymen in his own times, can be compared with Matthew Paris for

(79) M. Paris, Hist. Angl. p. 494. 636.

(80) M. Paris, Hist. Angl. p. 494. 636.

(81) Id. p. 504. col. 2.

(82) Id. p. 504. col. 2.

(83) M. Paris, Hist. Angl. p. 524. col. 2.

(84) Id. p. 504. col. 1.

(85) Id. p. 496. col. 1.

intrepidity. He censured without any ceremony, and in the plainest language, the vices and follies of persons of the highest rank and greatest power. Though he was a monk, he hath painted the insatiable avarice, intolerable tyranny, unbounded luxury, and abandoned perfidy of the court of Rome, in stronger colours than any protestant writer hath done (86). From all his writings he appears to have been a man of genius, taste, and learning. "He was (says a literary historian) an elegant poet, an eloquent orator, an acute logician, a subtle philosopher, a solid divine, a celebrated historian, and, which crowned the whole, a man justly famous for the purity, integrity, innocence, and simplicity of his manners (87)." In his leisure-hours he amused himself with the study and practice of the fine arts; and (if we may believe the historian of his own abbey) he was an exquisite sculptor in gold, silver, and other metals, and the best painter of the age in which he flourished (88). This virtuous, learned, and ingenious person paid the last debt to nature, A. D. 1259, at St. Alban's, where he had resided above forty years, and never obtained any higher office than that of historiographer (89).

The theological works of Matthew Paris have shared the same fate with those of many of his contemporaries; but his historical labours have been more fortunate, and have secured the grateful remembrance of posterity to their author. The greatest and most valuable of these historical works is entitled *Historia Major*, which is a very full history of England, from the Conquest, A. D. 1066, to the 43d of Henry III. A. D. 1259. In the first part of that work, from the Conquest to A. D. 1235, our author was much indebted to the labours of Roger de Wendover, his predecessor in the office of historiographer in the abbey of St. Alban's, and it was continued after his death to A. D. 1273, by William Rishanger his successor in that office (90). For the honour of his own abbey, our au-

Works.

(86) Vide Opera M. Paris, passim. Edwardi Brown Appendix ad Fasciculum Rerum expetendarum, p. 415—436.

(87) Pit's Relat. Scriptor. Script. 367.

(88) Tanneri Biblioth. Britan. p. 573.

(89) Id. ibid.

(90) Id. ibid. p. 757. 634.

thor wrote the lives of the two Offas kings of Mercia (of whom Offa II. was the founder of that abbey), and also the lives of the twenty-three first abbots of St. Alban's. To these works he subjoined *Additamenta* (additions), containing certain facts, papers, letters, speeches, &c. which had not come to his knowledge in due time, or which he had neglected to insert in their proper places. The above historical compositions have been several times printed (91), and will be perused with pleasure by every lover of English history and antiquities, who can forgive our author for believing and introducing so many ridiculous miracles, apparitions, predictions, &c.; because that kind of credulity was the folly of the times rather than of the man. The first part of Matthew of Westminster's *Flowers of History*, from the creation of the world to the conquest of England, is said to be almost an exact transcript of a work of Matthew Paris which hath never been printed. Besides all these, our author made an abridgment of his *Historia Major*, or Larger History of England, with the title of *Historia Minor*; which is still preserved in MS (92).

Thomas  
Wykes,

We know still less of the personal history of Thomas Wykes than of his contemporary Matthew Paris. He was a regular canon, of the order of St. Augustine, in the abbey of Osney, near Oxford, and improving his favourable situation for the acquisition of learning, became famous for the variety and extent of his erudition. Besides several other works on different subjects, he composed a history or chronicle of England, from the conquest, A. D. 1066, to A. D. 1304, soon after which period it is probable he died (93).

Walter  
Hemming-  
ford.

Walter Hemmingford was a monk in the abbey of Gisburn, in Yorkshire, of the same order with Thomas Wykes, and also wrote a history of England, nearly of the same period, beginning at the Conquest, and ending A. D. 1347, in which year he died (94). We do not so much as know with certainty to what monasteries

(91) London, A. D. 1640—1684. Paris, 1644.

(92) Tagger. Bibliothec. p. 572.

(93) Vide *Historiæ Anglicanæ Scriptores Quinque*; Oxoniæ, A. D. 1687.

(94) Id. *ibid.* *Walteri Hemmingford Historiæ*, a Tho. Hearn edit. Oxon. 1731, tom. 2.



John de Trokelowe, and Henry de Blanford, two monks who wrote histories of the reign of Edward II. belonged, and therefore they are mentioned here only to recommend their works, together with that of the anonymous monk of Malmesbury, on the same subject, to the attention of English antiquaries and historians, as containing many curious particulars which are nowhere else to be found (95).

Robert de Avesbury, who was register of the archbishop of Canterbury's court, composed a history of England in his own times, with the following title:—"Mirabilia gesta Magnifici Regis Angliæ Domini Edwardi Tertii post Conquestum, Procerumque; tactis primitus quibusdam gestis in tempore patris sui Domini Edwardi Secundi, quæ in regnis Angliæ, Scotiæ, et Franciæ, ac in Aquitania et Britannia, non humana sed Dei potentia, contigerunt; per Robertum de Avesbury, Curie Cantuariensis Registri Custodem, compilata."—i. e.—"The wonderful acts of the magnificent king lord Edward the third after the Conquest, and of his nobles; to which are premised some hints of the transactions in the time of his father Edward the second, in the kingdoms of England, Scotland, and France, as also in Aquitain and Brittany, which happened, not by the power of man, but of God; compiled by Robert of Avesbury, keeper of the register of the court of Canterbury."

Robert de  
Avesbury.

Our author was probably prevented by death from finishing his plan; for his history reaches only to the thirtieth of Edward III. A. D. 1356. He appears to have been at great pains to procure the most authentic information; and his work is valuable for the sincerity with which it is written, and the original papers it contains (96).

Nicholas Trivet, son of sir Thomas Trivet of the county of Norfolk, was born about A. D. 1258, and in his youth became a Dominican friar in London. Having a genius and taste for learning, he prosecuted his studies with great spirit and diligence, first at Oxford, and afterwards at Paris. Soon after his return to Eng-

Nicholas  
Trivet.

(95) Johannes de Trokelowe Annal. &c. a T. Hearn edit. Oxon. 1629.

(96) Roberti de Avesbury Historia, a Tho. Hearn edit. Oxon A. D.

land, he was chosen prior of his monastery, and discharged the duties of that office, with great honour to himself and advantage to the society, to the time of his death, A. D. 1328. He was a voluminous writer on various subjects in philosophy and divinity; but he is introduced in this place because he was the author of *Historical Annals* from A. D. 1130, to A. D. 1307 (97). Of this work he gives the following account in his preface: "When I studied at Paris, I read the histories of France and Normandy with great care, and faithfully extracted out of them every thing that related to the English nation. From these extracts,—together with what I collected from our English chronicles,—what came to my own knowledge,—and what I learned from the information of men worthy of credit,—I have composed the following history of the kings of England of the Plantagenet family, from Henry II. to our own times. But though I have bestowed my chief attention on the affairs of England, I have occasionally introduced such accounts of the transactions of the contemporary popes, emperors of Germany, kings of France, and some other princes, as had come to my knowledge, in order to render my work more universally useful and agreeable (98)."

It would be tedious to many readers to peruse the short memoirs which remain of the other historians of this period, as of Matthew of Westminster. Ralph Higden, Henry Knyghton, John de Fordun, Adam de Merimuthe, Thomas Stubbs, William Thorn, &c. &c.; and therefore such as wish to be acquainted with them, are referred to the authors quoted below (99).

Poets.

Poetasters abound in every age; but real and great poets, who do honour to their country, and merit a place in its history, are commonly very few. Of such excellent poets, who were also men of uncommon worth and learning, I know only three, viz. John Gower, Geoffrey Chaucer, and John Barbour, who flourished in Britain in the present period.

John Gower. That John Gower, or rather sir John Gower, was of an ancient and opulent family is highly probable; but

(97) Leland de Script. Britan. t. 2. p. 326.

(98) Nicolai Trivetii Annal. edit. Oxon. 1719. p. 2.

(99) Leland, Bale, Pits, Tanner, &c.

where that family was seated is not certainly known (100). He was born about A. D. 1320, and having received a learned education, and attained a proper age, he engaged in the study of the law at the Inner Temple, with such diligence, that he became eminent in his profession (101). His application to these severer studies did not divert him from courting the muses at his leisure-hours, and that with so much success, that he became one of the most admired poets of the age in which he flourished. Besides several smaller pieces, he composed three poems of considerable length, in three different languages, Latin, French, and English. To these poems he gave the three following fanciful and pedantic titles:—*Speculum Meditantis*,—*Vox Clamantis*,—*Confessio Amantis* (102). *Speculum Meditantis*, written in French, is a moral poem, recommending fidelity and mutual love to married persons, by examples out of various histories. *Vox Clamantis*, written in Latin, is an historical poem or chronicle of the insurrection of the commons in the reign of Richard II. The solemnity of the style, and lowness of the subject of this poem, give it in some places a burlesque appearance, as in the following catalogue of the leaders of the insurgents :

Watte vecat, cui Thome venit, neque Symme retardat,  
 Bitteque, Gibbe, simul Hykke, venire jubent.  
 Colle furit, quem Gibbe juvat nocumenta parantes,  
 Cum quibus ad damnum Wille coire vovit.  
 Grigge rapit, dum Daive strepit, comes est quibus Hobbe  
 Lorkin, et in medio non minor esse putat.  
 Hudde ferit quos Judde terit, dum Tibbe juvatur  
 Jakke domos que viros vellit, et ense necat, &c. &c.

These two poems are still in MS. *Confessio Amantis*, written in English at the desire of Richard II. is a poetical system of morality, illustrated by many amusing tales, happily invented and naturally introduced. This poem hath been several times printed (103). Our author hath left various specimens of his skill in divinity, logic, natural philosophy, and alchymy. He appears to have been

(100) Biograph. Britan. 1st edit. vol. 4. p. 2242.

(101) Tanner, p. 335.

(102) lb. ibid.

(103) Biographia, vol. 4. p. 2244.

fond of writing; and laments, in a very pathetic strain, that by the failure of his sight in his old age, he was constrained to lay aside his pen (104). He died A. D. 1402, and was buried in the conventual church of St. Mary Overie, in Southwark, which he had rebuilt chiefly at his own expence. Upon the whole, sir John Gower was evidently a man of uncommon genius, extensive learning, and amiable manners, one of the fathers of English poetry, and one of the first who wrote with any considerable success in the English language.

Geoffrey  
Chaucer.

Geoffrey Chaucer, the contemporary and intimate friend of Gower, was born in London about A. D. 1328; but all attempts to discover the names and rank of his parents (though they were certainly neither obscure nor indigent), have been unsuccessful (105). When he had spent some years in prosecuting his studies, first at Cambridge, and afterwards at Oxford, for his further improvement, he visited France, and some other foreign countries; and on his return from his travels, he became a student of law in the Middle Temple (106). But this study not being agreeable to his taste, he resolved to try his fortune at court; for which he was admirably qualified, being remarkably handsome in his person, elegant in his manners, an universal scholar, and an admired poet. He accordingly obtained the honourable place of page to Edward III. A. D. 1359, when that illustrious prince was in the summit of his prosperity, and the English court in its highest splendour, adorned by the captive kings of France and Scotland (107). In this station he rendered himself so agreeable to his royal master, that he obtained many substantial marks of his favour, and enjoyed an income of no less than one thousand pounds a-year, equivalent to twelve thousand at present (108). In this flourishing state of his affairs, he married Philippa Rouet, sister to the famous Catherine lady Swynford, then the mistress, and afterwards the wife of John of Gaunt duke of Lancaster, the king's third son (109). By this marriage a connection which he had formed with the duke

(104) Biographia. vol. 2. p. 2246.

(105) Chaucer's Works, London, 1721, p. 486. col. 1.

(106) Bale, p. 525. Leland, p. 419.

(107) Chaucer's Life prefixed to his Works, edit. 1721.

(108) Biogra. Britan. p. 1296

(109) Life of Chaucer.



of Lancaster was much strengthened, and for some time contributed to his promotion; but afterwards involved him in no little trouble, by engaging him in all the political intrigues of that ambitious prince. In particular, the duke of Lancaster having espoused the cause of Wickliff, from political views, and out of hatred to the clergy, our author engaged with warmth, and from principle, in the same cause. In consequence of this, having espoused the party of John Comberton mayor of London, A. D. 1382, a zealous Wickliffite, and that party having been ruined by the superior power of the court and clergy, Chaucer, with some others, escaped to the continent. Here he lived privately several years, till he had spent his whole estate in supporting himself and his fellow-exiles; which obliged him to return secretly into England. Soon after his return, he was apprehended, and put in prison; where, by threats and promises, he was prevailed upon to disclose the secrets of his party, by which he obtained his liberty, but brought upon himself an insupportable load of calumny (110). In this deplorable reverse of fortune, our author retired to Woodstock, and gave vent to his melancholy in that sweet plaintive performance,—*The Testament of Love*;—which begins in this manner:—"Alas! Fortune, alas! I that  
 "some tyme in delicious houres was wont to enjoy  
 "blisful stoundes, am now dryve, by unhappy heavinessse, to bewaile my fondrie yvels in tene (111)." When under this cloud, A. D. 1391, he composed another of his prose works, intitled,—"*The conclusions of the Astrolabie*,—for the use of his second son Lewis:"—a work which discovers an extensive knowledge in astronomy, with an admirable faculty of communicating that knowledge to a child only ten years of age (112). A few years after this, our author's affairs began to take a more favourable turn. His ancient friend and patron, John of Gaunt duke of Lancaster (now become his brother-in-law, by his marriage with lady Swynford), having, after a great variety of adventures, recovered his influence at the court of England, procured him several grants from the crown; which enabled him to spend the

(110) See Chaucer's *Testament of Love*, p. 437—495.(111) *Id.* p. 479.(112) Chaucer's *Works*, p. 439.

last years of his life in ease and plenty, at his seat of Dunnington castle, near Newbury (113). On the accession of Henry IV. the son of his late brother and patron the duke of Lancaster, he found it necessary to make a journey to London, where he died, October 25, A. D. 1400, in the seventy-third year of his age (114). Whoever reads the works of Chaucer with attention, will be surprised at the variety and extent of his learning, as well as charmed with the fertility of his invention, the sweetness of his numbers (for the times in which he lived), and all the other marks of a great and cultivated genius. The writer of his life prefixed to Mr. Urry's edition of his works, hath given him the following character, and produced sufficient evidence that he deserved it: "In one word, he was a great scholar, a pleasant wit, a candid critic, a sociable companion, a steadfast friend, a grave philosopher, a temperate œconomist, and a pious Christian." Should such a man ever be forgotten?

John  
Barbour.

John Barber, or Barbour, an eminent divine, historian, and poet, was born in the city of Aberdeen about A. D. 1330 (115). Having received a learned education, he entered into holy orders, and was promoted by king David II. to the archdeaconry of Aberdeen, A. D. 1356. His love of learning was so strong, that he continued to prosecute his studies after his promotion. With this view he prevailed upon his own sovereign king David Bruce, with whom he was in great favour, to apply to Edward III. for permission to study at Oxford; which was granted, in the following terms.—“Edward, &c.  
“—Know ye, that we have taken under our protection  
“ (at the request of David de Bruce) John Barber, arch-  
“ deacon of Aberdeen, with three scholars in his com-  
“ pany, in coming into our kingdom of England, in  
“ order to study in the university of Oxford, and per-  
“ form his scholastic exercises, and in remaining there,  
“ and in returning into his own country of Scotland;  
“ and we hereby grant him our safe-conduct, which is  
“ to continue in force for one year. Witness the king

(113) Biographia. vol. A. p. 1303.

(114) Id. ibid.

(115) Hume's Hist. Douglas, p. 30, 31. Nicolson's Scots Hist. p. 145.

“ at Westminster, A. D. 1357, August 13 (116).” Our archdeacon was not only famous for his extensive knowledge in the philosophy and divinity of those times, but still more admired for his admirable genius for English poetry; in which he composed a history of the life and glorious actions of Robert Bruce king of Scotland, at the desire of king David Bruce, his son, who granted him a considerable pension for his encouragement, which he generously bestowed on an hospital at Aberdeen (117). While he was engaged in this work, he obtained permission and safe-conduct from Edward III. A. D. 1365, to travel through England into France, with six horsemen his attendants (118). He finished his history of the heroic Robert Bruce A. D. 1373; a work not only remarkable for a copious circumstantial detail of the exploits of that illustrious prince, and his brave companions in arms, Randolff earl of Moray, and the lord James Douglas, but also for the beauty of its style, which is not inferior to that of his contemporary Chaucer (119). The time and circumstances of our author’s death are not known.

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### S E C T I O N III.

*History of the chief Seminaries of Learning in Great Britain,  
from A. D. 1216 to A. D. 1399.*

ALL the different kinds of schools which were established in Britain in the preceding period, continued to flourish in the present. In general, we are assured by the most learned man of the thirteenth century, Roger Bacon, that there never had been so great an appearance of learning, and so general an application to study, in so many different faculties, as in his time, when schools

(116) Rymer. Fœd. tom. 6. p. 31.

(117) Tanner, p. 73.

(118) Rymer, tom. 6. p. 478.

(119) Mackenzie’s Lives, &c. v. 1, p. 296.

were erected in every city, town, burgh, and castle (1). But all these cathedral, conventual, Jewish, and other illustrious schools, have been already described (2).

Change in  
the univer-  
sities.

A very great and advantageous change in the state of the two universities of England took place in the present period, and merits our attention. In former times the teachers and scholars lodged and studied in private houses or halls, which they rented from the citizens. This was attended with many inconveniencies, and gave occasion to frequent quarrels between the scholars and citizens, about the rents of houses (3). Various methods were employed to prevent these quarrels, which disturbed the peace and even threatened the destruction of the universities. In particular, Henry III. A. D. 1231, appointed two respectable citizens, and two masters of arts, to be chosen annually, and invested with authority to determine all disputes between the citizens and scholars, about the rents of houses (4). But this, and all other methods for preserving peace between the townsmen and scholars, while this occasion of contention continued, proved ineffectual. At length, some generous persons (determined to deliver the members of the universities from their too great dependence on the townsmen) purchased or built large houses, and admitted both teachers and scholars to reside in them, without paying any rent. Those munificent friends of learning soon discovered, that some ingenious scholars admitted into their houses were but ill provided with the means of rewarding their teachers, purchasing books, and procuring other necessities; which induced them and others to enlarge their charity, and to endow those houses with lands, tenements, and revenues, for the maintenance of a certain number of studious men and youth. By these steps the building and endowing colleges became the prevailing taste of the rich and generous in this period, as building and endowing monasteries had been in some former periods. In consequence of this prevailing taste, several noble halls and colleges were erected and endowed, in both the universities of England, chiefly between the middle of the thirteenth, and the middle of the fourteenth century.

(1) Rucconi Opus Majus, præfat.

(2) See vol. 3. chap. 4. sect. 3.

(3) A. Week. l. 1. p. 84. 86. 92.

(4) Fuller's Hist. Cambridge, p. 10.



In Oxford the following colleges were founded in this period, viz. University college, Baliol college, Merton college, Exeter college, Oriel college, Queen's college, and New college; of each of which it is proper to give a very brief account.

If University hall or college was founded and endowed by Alfred the Great, that foundation was overturned, and those endowments were dissipated, long before the beginning of this period. William archdeacon of Durham, who bequeathed three hundred and ten marks to the university, and died A.D. 1249, may be esteemed the founder of the present college, as some tenements on which it was built, and with which it was endowed, were purchased with that money (5). This society, when it was first formed, about A.D. 1280, was very small, consisting only of four masters of arts; but it gradually increased, both in numbers and revenues, by the successive donations of many generous benefactors (6).

John Baliol, father of that unfortunate prince John king of Scotland, formed and made some progress in the design of founding Baliol college, about A.D. 1268; and that design was perfected by his widow the lady Der-vogilla, from whom her son John Baliol derived his title to the crown of Scotland (7).

Walter Merton, bishop of Rochester, founded a college for twenty scholars, and three priests, at Maldon in Surry, A.D. 1264, and about four years after he removed that society to Oxford, where he had provided a place for their reception, which hath ever since that time been denominated Merton college (8).

Walter Stapleton, bishop of Exeter, began, about A.D. 1315, to execute a design which he had formed of founding a hall or college in Oxford; and in a few years, with the assistance of Peter de Shelton a clergyman, he accomplished that design (9). The name of this foundation was at first Stapleton hall; but it was afterwards changed to Exeter college, by a bull of pope Innocent VII. (10).

Oriel college was founded by Edward II. and his almoner Adam de Brom, about A.D. 1324. It was at first called *the hall of the Blessed Virgin of Oxford*, and derived

(5) A. Wood, lib. 2. p. 56.

(6) A. Wood, lib. 2. p. 57, 58, 59.

(8) Id. ibid. p. 89.

(9) Id. ibid. p. 93.

(7) Id. ibid. p. 69, 70.

(10) Id. ibid. p. 94.

its present name from a capital messuage bestowed upon it by Edward III (11).

Queen's  
college.

Robert Eglesfield, who was descended of an ancient family in the county of Cumberland, and chaplain to queen Philippa, consort of Edward III. founded Queen's college, A. D. 1340, chiefly for the benefit of his countrymen of the counties of Cumberland and Westmorland. He gave his college its name in honour of queen Philippa, who had very much encouraged and assisted him in that expensive undertaking (12).

New col-  
lege.

The illustrious William of Wykeham bishop of Winchester, soon after his advancement to that see A. D. 1366, formed the design of founding two colleges, one at Winchester, in which young scholars might receive the first part of their education; and another at Oxford, into which they might be transplanted, and their education perfected. Having spent several years and considerable sums of money in purchasing certain tenements in Oxford, he laid the first stone of his college there for a master and seventy scholars, March 5, A. D. 1379, and finished the fabric A. D. 1386. In his foundation-charter he gave it the name of *Seinte Marie College of Wynchestre in Oxenford*; but in common use it hath been constantly called *New College* (13). Soon after he had finished this great work, he built and endowed his college at Winchester.

Colleges  
in Cam-  
bridge.

In Cambridge the following halls and colleges were founded in this period, viz. Peter house, Michael college, University hall, King's hall, Clare hall, Pembroke hall, Corpus Christi college, Trinity hall, Gonvil hall.

Peter  
house.

Hugh Balsham sub-prior, and afterwards bishop of Ely, purchased some tenements in Cambridge, about A. D. 1256, in order to found a college; and though he met with various difficulties, which retarded the full execution of that design, he still continued to prosecute it, and at length, about A. D. 1282, the building was finished for the reception, and endowed for the maintenance of one master, fourteen fellows, two bible-clerks, and eight poor scholars (14).

(11) A. Wood, lib. 2. p. 103, 104.

(12) Id. ibid. p. 113.

(13) Id. ibid. p. 126—130.

(14) Stow Chronicle by Hews, p. 1057. Fuller's History of Cambridge, p. 30.

Harvey de Stanton, canon of York and Wells, and Michael  
chancellor of the exchequer to Edward II. founded and college.  
endowed a college about A. D. 1324, which he dedicated  
to St. Michael the archangel (15). This college was taken  
into Trinity college, founded by Henry VIII.

University hall or college was founded by Richard Badew, University  
chancellor of the university of Cambridge, A. D. hall.  
1326. But this college was hardly ever completed, and  
of short duration (16).

King Edward II. for some years maintained thirty-two King's hall.  
scholars at the university of Cambridge, and designed to  
have founded a hall for their residence. This design was  
executed by his son Edward III. who built a very magnificent  
hall, and endowed it with lands sufficient for the support  
of a master and thirty-three scholars (17). This hall  
was united to Trinity college by Henry VIII.

University hall having been burnt down, and its founder Richard Badew  
unable to rebuild it, Elizabeth de Clare countess of Ulster, one of the sisters and  
coheiresses of Gilbert de Clare earl of Gloucester, raised it from its  
ruins about A. D. 1347, added greatly to its revenues,  
and gave it the name of *Clare hall*, in honour of her family  
(18).

Pembroke hall was founded in the same year with Clare  
hall, by a great but unfortunate lady, Mary de St. Paul, Pembroke  
daughter of Guido earl of St. Paul, in France, married  
to Aymer de Valence earl of Pembroke, who was killed  
in a tournament soon after his marriage, or, according to  
some, on his wedding-day, June 23, A. D. 1323. His  
afflicted widow survived him forty-two years, spending  
the greatest part of her large revenues in pious and charitable  
works. Among others of that kind, she founded  
a hall in Cambridge for a master and thirty scholars,  
which she called by her husband's name and her own, *the  
hall of Valence and Mary*; but its most common appellation  
hath been *Pembroke hall* (19).

The united guilds of Corpus Christi and St. Mary, in  
Cambridge, assisted by the patronage of Henry duke of  
Lancaster, founded a college, about the same time, which  
Bennet college.

(15) Stow, p. 1057. Fuller, p. 36.

(16) Stow, *ibid.* Fuller, p. 37.

(17) Stow, p. 1057. Fuller, p. 39.

(18) Stow, p. 1058. Fuller, p. 37.

(19) Stow, *ibid.* Fuller, p. 41. Dugdale's Peerage, vol. 1. p. 777.

they called *the college of Corpus Christi and St. Mary*; but its most common name hath always been *Bennet College*, from St. Bennet's church (20).

Trinity  
hall.

William Bateman, bishop of Norwich, founded Trinity hall, in Cambridge, about A. D. 1350, for one master, two fellows, and three scholars, who were all to be students of the civil and canon law (21).

Gonvil  
hall.

About the same time Edmond Gonvil, parson of Ter-  
rington and Rushworth, in Norfolk, founded a college in Cambridge, for a master and twenty scholars, which he called *Gonvil hall*, and by his last will left a considerable sum of money to William Bateman bishop of Norwich, together with directions for perfecting that foundation, which he performed (22).

Almost all the above halls and colleges in both universities were comparatively small at first; but by subsequent benefactions they have become the most magnificent and opulent seats of learning in Europe.

Great  
number of  
students.

The number of scholars in the two universities of England in this period was very great. The famous Richard Fitz-Ralph, archbishop of Armaugh, in an oration against the mendicant friars, which he pronounced before the pope and cardinals, A. D. 1357, made the following declaration:—"Even in my time, there were thirty thousand students in the university of Oxford, and at present there are hardly six thousand; which prodigious diminution is chiefly owing to the mendicant friars, who entice and delude so many of the young scholars to enter into their order, that parents are afraid to send their children to the university (23)." We shall be more disposed to believe the above declaration, when we consider, that besides all the above colleges that had been lately founded, there were at that time between two and three hundred private halls in Oxford, in which scholars resided, and almost an equal number of schools, in which they studied and attended lectures; and when we reflect also, that this university was frequented by great multitudes of scholars from Scotland, Ireland, and the continent, as well as by the youth of England and Wales (24).

Universities  
of Nor-  
thampton  
and Stan-  
ford.

The two universities of England in this period were frequently disturbed, and sometimes almost ruined, by

(20) Stow, p. 1058. Fuller, p. 44.

(21) Id. p. 47.

(22) Stow, p. 1058. Fuller, p. 50.

(23) Bukei Hist. Univers. Pariss. tom. 4. p. 339. A. Wood, lib. 1. p. 77.

(24) A. Wood, passim.



violent quarrels among the scholars, or between them and the townsmen. In the quarrels among the scholars, the southern English, Welsh, and Irish, commonly formed one party, against the northern English and Scots (25). Many of the members of both universities, being desirous of avoiding these quarrels, retired to Northampton, A. D. 1260; and, with the permission of Henry III. began to form a new university. But the people of Oxford and Cambridge found means to prevail upon that prince to dissolve this new university, and to command the members of it to return to the places of their former residence, A. D. 1265 (26). About thirty years after, the university of Stamford began, and terminated in the same manner (27).

So many schools were founded, and so many sciences taught, in London and its environs, in this period, that it was (not very improperly) called a third university (28). Edward III. built a college at Westminster for the study of divinity, which was called *St. Stephen's college*, and was dissolved by Henry VIII. A. D. 1530 (29). Archbishop Bradwardine founded a theological lecture in St. Paul's church, in London, A. D. 1344; and the famous John of Gaunt duke of Lancaster built and endowed a college for divines in St. Paul's church-yard (30). But as it would be tedious to enumerate all the schools that were erected in London and its environs in this period, it may be sufficient to refer such readers as desire more particular information to the work quoted below (31).

Soon after the chief courts of justice were firmly fixed at Westminster, in conformity to an article in the Great Charter, a famous school or university for the study of the law was gradually established in the neighbourhood of that place, consisting of several colleges, commonly called *Inns of Court* and of *Chancery*. These inns or colleges were at first few and inconsiderable; but before the end of our present period, they were become numerous and flourishing. This appears from the following very distinct description of them by sir John Fortescue, who was

(25) A. Wood, lib. 1. p. 123, &c. Fuller, p. 12.

(26) Fuller, p. 13, 14. A. Wood, lib. 1. p. 110. 113.

(27) Id. *ibid.* p. 156. 159.

(28) See Sir George Buc's third University of England, at the end of Stowe's Chronicle, p. 1063.

(29) Id. p. 1066.

(30) Id. *ibid.*

(31) Sir George Buc's Discourse of the third University of England.

a student in one of these inns of court about A. D. 1416:  
 “ The laws are studied in a public manner and place.—  
 “ It is situated near the king’s palace at Westminster,  
 “ where the courts of law are held, and in which law-pro-  
 “ ceedings are pleaded and argued. Here in term-time,  
 “ the students of the law attend in great numbers, as it  
 “ were to public schools, and are there instructed in all  
 “ sorts of law-learning, and in the practice of the courts.  
 “ The situation of the place where they reside and study  
 “ is between Westminster and the city of London.—  
 “ There belong to it ten lesser inns, and sometimes more,  
 “ which are called the *Inns of Chancery*; in each of which  
 “ there are an hundred students at least, and in some of  
 “ them a far greater number, though not constantly re-  
 “ siding. The students are for the most part young men.  
 “ Here they study the nature of original and judicial  
 “ writs, which are the very first principles of the law.  
 “ After they have made some progress here, and are  
 “ more advanced in years, they are admitted into the inns  
 “ of court properly so called. Of these there are four  
 “ in number. In that which is least frequented, there  
 “ are about two hundred students.—There is both in the  
 “ inns of court; and the inns of chancery, a sort of an  
 “ academy or gymnasium, where the students learn sing-  
 “ ing and all kinds of music, dancing, and such other  
 “ accomplishments and diversions as are suitable to per-  
 “ sons of their quality, and are usually practised at court.  
 “ At other times out of term, the greater part apply  
 “ themselves to the study of the law. Upon festival  
 “ days, and after the offices of the church are over, they  
 “ employ themselves in the study of sacred and profane  
 “ history.—I need not be particular in describing the  
 “ manner and method how the laws are studied in those  
 “ places. But I may say in general, that it is pleasant,  
 “ and excellently well adapted for proficiency (32).” It  
 is hardly necessary to observe that the establishment of  
 this law-university was one very happy consequence of  
 fixing the chief courts of justice at one certain place, and  
 contributed not a little to inspire the young nobility and  
 gentry of England (who generally received some part of  
 their education at the inns of court) with a taste for  
 learning.

(32) Sir John Fortescue *De laudibus legum Angliæ*, chap. 48, 49.

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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N .

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B O O K I V .

C H A P . V .

*History of the Arts in Great Britain, from the death of  
king John, A. D. 1216, to the accession of Henry IV.  
A. D. 1399.*

S E C T I O N I .

*History of the necessary Arts in Great Britain, from A. D.  
1216, to A. D. 1399.*

THE most common and capital operations in agriculture, architecture, and other necessary arts, are performed in the same manner, or nearly in the same manner, through many succeeding ages, in every country into which they have been introduced. It is not necessary therefore, in a work of this nature, to give a description of these permanent operations in every period, which would occasion many tedious and disgusting repetitions. For this reason it is thought sufficient to give an account only of such new inventions, or considerable alterations

New inventions or great improvements in the necessary arts.

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in the several arts, in each period, as made their first appearance, and became conspicuous in that period.

No great  
improvements in  
agriculture.

It is not to be imagined that very many and great improvements were made in agriculture in the period we are now examining, as the circumstances of the country, and manners of its inhabitants, were unfavourable to such improvements. The country was almost constantly involved in war, which diverted the attention of the people, and particularly of the nobility, from the improvement of their lands by agriculture. A taste for this art was even esteemed dishonourable in a person of high rank; and Edward II. was bitterly reproached, as well as much despised, for his fondness for agriculture, and neglect of military exercises (1). The great barons and prelates, who were the chief proprietors of the soil, kept prodigious quantities of land in their own immediate possession, which they cultivated partly by their slaves or villains, and partly by their tenants, who were obliged to neglect their own farms, and labour for their lords, whenever they were called (2). Now as these slaves and tenants had little or no interest in the success of their labours, it is not to be supposed that they were very anxious about performing them in the best manner. We may form an idea of the quantity of land which some great prelates kept in their own possession by the following account of the stock upon the lands of the bishopric of Winchester, delivered to bishop Wykeham, A. D. 1367, by the executors of his predecessor,—viz. 127 draught-horses, 1556 head of black cattle, 3876 wethers, 4777 ewes, 3541 lambs, besides the sum of 1662*l.* 10*s.* equivalent to 20,000*l.* of our money at present, which they paid for the deficiency of that stock (3).

Destructive  
famines.

The frequent and very destructive famines which prevailed in Britain in this period have been considered as presumptive proofs of the imperfect state of agriculture. Of these I shall mention only two, which seem to have been the most severe. There was so great a famine A. D. 1258, that no fewer than fifteen thousand persons (as we are told by a writer who lived at St. Alban's at that time) died in London of hunger, besides many

(1) *Monachi Malmf. Vita Ed. II. edit. a T. Hear. A. D. 1721. p. 136.*

(2) *Kennet's Parochial Antiquities, p. 495, &c.*

(3) *Biograph. Britan. 1st edit. Sup. p. 207.*

thousands



thousands who perished for want of food in other places (4). But that famine which began A. D. 1314, and continued to rage for three years both in England and Scotland, must have been still more destructive: for in the course of that dearth a quarter of wheat, it is said, was sold for forty shillings, equivalent to thirty pounds of our money at present; though in the former famine, A. D. 1258, it had never exceeded sixteen shillings (5). On this occasion the parliament of England interposed, and fixed the price of provisions of all kinds by law: but it was soon found that this law prevented the bringing provisions to market, and it was therefore repealed. The king, in a proclamation which he published at this time, prohibiting the making of malt, and brewing of ale, says,—“that if this was not prevented immediately, not only the poor, but people of the middle rank, “ would inevitably perish for want of food (6).” In a word, we learn, from the concurring testimony of several historians who lived in those times, or soon after, that prodigious multitudes of people died of hunger, or of diseases contracted by the use of unwholesome food; and that many were tempted to perpetrate acts of the most unnatural cruelty, to prolong their wretched lives (7). It may however be observed, that the historians who give an account of those deplorable famines, ascribe them to unfavourable seasons, and not to bad husbandry; and it is also true, that there may be such seasons as will baffle all the efforts of the most industrious and skilful husbandmen (8). It must likewise be acknowledged, that at some times in this period grain of all kinds was very plentiful, and sold at a very low rate. A quarter of wheat, A. D. 1288, was sold in some parts of England for twenty pence, in others for sixteen pence, and in others for a shilling (9).

Though I have not been able to discover that any new operations of great importance in agriculture were introduced in this period, it plainly appears, that all

Operations in agriculture performed better than in former periods.

(4) M. Paris, Hist. Angl. ann. 1258. p. 653.

(5) Tyrel, vol. 4. p. 263. from Rol. Par. 8th Ed. II. Parliament. Hist. vol. 1. p. 151.

(6) Johannes de Trokelowe, Annal. Ed. II. p. 37, &c.

(7) Id. ibid. Monach. Malm. p. 166. T. Walsingham, p. 108.

(8) M. Paris, p. 653.

(9) T. Walsing. Yppodigma Neustria, p. 476.

those which had been before in use,—as inclosing, fallowing, manuring, &c. were now performed more universally, and with greater dexterity, than in former times. Inclosing was carried on so briskly, that the lands of England were in general inclosed with ditches and hedges, with trees planted in the hedge-rows, before the end of this period. “The feeding lands (says sir John Fortescue) are likewise inclosed with hedge-rows and ditches, planted with trees, which protect the flocks and herds from bleak winds and sultry heats (10).” Summer-fallowing of fields for wheat was practised as much, if not more, in England, in the thirteenth century, than it is at present. It was then a kind of rule among farmers, to have one-third of their arable lands in fallow (11). In the law-book called *Fleta*, which was composed in the reign of Edward I. very particular directions are given as to the most proper times and best manner of ploughing and dressing fallows (12). The farmer is there directed to plough no deeper in summer than is necessary for destroying the weeds; not to lay on his manure till a little before the last ploughing, which is to be with a deep and narrow furrow. Rules are also given,—for the changing and chusing seed;—for proportioning the quantity of different kinds of seed to be sown on an acre, according to the nature of the soil, and the degree of richness;—for collecting and compounding manures, and accommodating them to the grounds on which they are to be laid;—for the best seasons for sowing seeds of different kinds on all the variety of soils;—and, in a word, for performing every operation in husbandry, at the best time, and in the best manner (13). In the same work, the duties and business of the steward, bailiff, and overseer, of a manor, and of all the other persons concerned in the cultivation of it, are explained at full length, and with so much good sense, that if they were well performed, the manor could not be ill cultivated (14).

(10) Fortescue, *De Laudibus Legum Angliæ*, chap. 29.

(11) *Fleta*, lib. 2. chap. 72. p. 159.

(12) *Id. ibid.* chap. 73. p. 163.

(13) *Fleta*, lib. 2. ch. 72, 73, 76.

(14) *Ibid.* ch. 72—88.

Gardening, one of the most pleasant parts of agriculture, was not neglected in this period. Almost every great castle, and larger monastery, had, besides a kitchen-garden, a herbary or physic-garden, a *pomarium* or orchard; and some of them had also vineyards. The monks of Dunstable were at much expence, A. D. 1294, in repairing the walls about the garden, and also the walls about the herbary of their priory; and the herbary mentioned in Chaucer's Nonne's priest's tale, appears to have been well stored with medicinal herbs, shrubs, &c. (15). The orchards of the great barons and prelates, as well as of the richer convents, contained a variety of fruit-trees which are commonly believed to have been brought into Britain at a much later time. The historians of this period commonly conclude the annals of every year with an account of the seasons, and of the abundance or scarcity of corns, fruits, and herbage. Matthew Paris, in the conclusion of his history of A. D. 1257, observes, that the seasons had been very unfavourable, which had produced a famine, of which many of the common people died,—“ That apples were scarce, pears still “ scarcer; but that cherries, plums, figs, and all kinds “ of fruits included in shells, were almost quite destroyed (16).”

The historians of this period sometimes mention vine-dressers and vineyards. The prior of Dunstable paid into the exchequer, a sum of money for an amercement which had been incurred by Stephen and Peter his vine-dressers, A. D. 1220 (17). Ralph, abbot of St. Augustine's, Canterbury, caused vines to be planted in a field at Nordhome, A. D. 1320, which (as we are told by the historian of that monastery, who had often seen them) did him great honour, and proved very profitable to the society (18). It is hardly credible, that these historians could be guilty of so gross an abuse of words, as to call a common gardener *vinitor*, and a common orchard of apple-trees *vineæ*. An act of parliament that was made A. D. 1423, for regulating the capacity or measure of

(15) Annal. de Dunstable, ad an. 1294. Chaucer's Works, edit. Urry, p. 170. Walpole's Anecdotes of Painting, vol. 1. p. 17.

(16) M. Paris, ad an. 1257. p. 645.

(17) Annal. de Dunstap. ad an. 1220. p. 94.

(18) Chron. W. Thorn, apud X. Script. col. 2036.

tuns, pipes, tertians, and hogshheads of wine, was framed to comprehend those for wines made at home, as well as for wines imported. “ It is ordained and stablished, that  
 “ no man, after the end of twelve months from the feast  
 “ of Easter next coming, shall bring into the realm of  
 “ England, from what country soever it be, nor make  
 “ within the same realm, a tun of wine, except it con-  
 “ tain of the English measure two hundred and fifty-two  
 “ gallons, &c. upon pain of forfeiture of the same  
 “ wine (19).” This seems to indicate, that the wines made in England were considerable for their quantity, and that they were of the same kind with foreign wines, though probably of an inferior quality.

Treatises on  
 agriculture  
 written in  
 Latin.

It is a curious circumstance, that not only treatises composed at this time for the instruction of farmers, and their servants, down to the swine-herd, were written in Latin; but even the accounts of the expences and profits of farms and dairies were kept in that language (20). The Latin of these accounts, it must be confessed, was not perfectly classical; as will appear from the following short specimen:—“ Et pro uno *seedcod* empto  
 “ iild.—Et pro uno *cartfadel* uno colero cum uno pari  
 “ tractuum emptis xivd.—Et pro factura de *drawgere*  
 “ iild.—Et pro uno dongecart empto xivd.—Et pro far-  
 “ ratione et dolatione unius *carlboddy* vid (21).”

Architec-  
 ture nearly  
 the same as  
 in the pre-  
 ceding pe-  
 riod.

As the sacred, civil, and military architecture of this period was nearly in the same style with that which was introduced towards the end of the preceding period, and which hath been already described, it will not be necessary to dwell long on that subject, in this place (22).

Sacred ar-  
 chitecture.

Building churches and monasteries being still believed to be one of the most effectual means of obtaining the pardon of sin and the favour of heaven, prodigious numbers of both were built in Britain, in the thirteenth and fourteenth centuries. In the reign of Henry III. alone, no fewer than one hundred and fifty-seven abbies, priories, and other religious houses, were founded in England (23). Many of the cathedral and conventual churches were very

(19) Ruffhead's Statutes at Large, vol. 1. p. 527.

(20) Fleta, lib. 2. chap. 72—88. Kennet's Parochial Antiquities, p. 548. 570.

(21) Kennet's Parochial Antiquities, p. 549, &c. (22) See vol. 3.

(23) Grose's Antiquities, vol. 1. preface, p. 32.



large, lofty, and magnificent fabrics ; which were raised at a very great expence of labour, time, and money. Of this a careful inspection of the cathedrals of York, Salisbury, Litchfield, Worcester, Gloucester, Ely, Winchester, and several others, which were built in this period, will afford the most satisfactory proof ; and at the same time will give the clearest ideas of the style of sacred architecture which then prevailed. This style was what is commonly called the lighter Gothic, with some variations. In the thirteenth century, the fashionable pillars in churches were of Purbic marble, very slender and round, encompassed with marble shafts a little detached, having each a capital adorned with foliage, which joining, formed one elegant capital for the whole pillar. The windows were long and narrow, with pointed arches and painted glass, which was introduced about that time, or at least became more common. In this century also they began to delight in lofty steeples, with spires and pinnacles. In the fourteenth century, the pillars consisted of an assemblage of shafts not detached, but united, forming one solid and elegant column ; the windows, especially those in the east and west ends, were greatly enlarged, divided into several lights, by stone-mullions, running into ramifications above, and forming numerous compartments in various fanciful shapes. Those windows, filled with stained glass of the most lively colours, representing kings, saints, and martyrs, and their histories, made a most solemn and glorious appearance. There were several other variations, especially in the taste of the carvings and other ornaments, which are too minute for general history (24).

The opulence of the clergy, and zeal of the laity, <sup>Society of</sup> furnished ample funds for building so great a number of <sup>free-</sup> magnificent churches, monasteries, and religious houses, <sup>maçons,</sup> that it was with great difficulty workmen could be procured to execute those pious works. The popes, for very obvious reasons, favoured the erection and endowment of churches and convents ; and granted many indulgences, by their bulls, to the society of maçons, in order to increase their numbers. These indulgences produced their full effect in those superstitious times ; and that society be-

(24) See Preface to Grose's Antiquities, Bentham's History of Ely, Wren's Parentalia,

came very numerous, and raised a prodigious multitude of magnificent churches about this time in several countries: “ For (as we are told by one who was well acquainted with their history and constitution) the Italians, with some Greek refugees, and with them French, Germans, and Flemings, joined into a fraternity of architects, procuring papal bulls for their encouragement, and particular privileges; they styled themselves Freemasons, and ranged from one nation to another, as they found churches to be built (for very many in those ages that were every where in building, through piety or emulation): their government was regular; and where they fixed near the building in hand, they made a camp of huts. A surveyor governed in chief; every tenth man was called a warden, and overlooked each nine. The gentlemen in the neighbourhood, either out of charity or commutation of penance, gave the materials and carriages. Those who have seen the accounts in records of the charge of the fabrics of some of our cathedrals, near four hundred years old, cannot but have a great esteem for their œconomy, and admire how soon they erected such lofty structures (25).”

Construction of castles.

The great barons and prelates of Britain still continued to reside in castles, which served them at once for dwelling and defence. The general plan of these castles hath been already described; and that plan was for the most part followed in the present period (26). The chief towers, commonly called *the keeps*, of several of these castles, have lately been examined with great attention; from whence it appears, that they were contrived with wonderful art to answer the following purposes, which they had in view in their construction: 1. To render the entrance or gate at once magnificent and impregnable.—2. To secure the garrison, and to enable them to annoy the besiegers.—3. To delude the besiegers to attack the strongest parts, by giving them an appearance of weakness.—4. To put their prisoners, provisions, and implements of war, out of the reach of danger.—5. To convey the engines of war to any place of the castle with ease and expedition.—6. To communicate intelligence in

(25) Wren's *Parentalia*, p. 306, 307.

(26) See vol. 3.

a moment to any part of the building.—7. To supply the garrison with water.—8. To convey away the smoke and filth.—9. To provide a commodious and safe habitation for the lord of the castle and his family. For the various contrivances to answer these purposes, the reader must be referred to the work quoted below (27); only, as a specimen, I shall mention the contrivance they employed to secure a constant supply of water to every apartment. The tower was divided within into two equal parts, by a thick partition-wall of masonry, from the bottom to the top. The well for supplying the garrison with water, was under the foundation of this partition wall; and the pipe of it was carried up in the middle of the wall to the leads of the castle, where the pulley for drawing the water was fixed. The people on each floor had access to the pipe of the well, for furnishing themselves with water, by a small arched opening in the partition-wall. From the ground-floor to the water, little square cavities were cut in the sides of the pipe, at proper distances, by which a person might descend to cleanse the well. It seems to be impossible to invent a more effectual method than this to prevent the garrison from being deprived of the necessary article of water; and it may be truly said, that the contrivances to answer their other purposes were no less artful and ingenious (28). It must, however, be confessed, that the great barons and prelates of this period sacrificed their conveniency to their security; which seems to have been their chief concern in the construction of their castles; the apartments of which were commonly gloomy, the bed-chambers few and small, the passages narrow and intricate, and the stairs steep and dark.

The arts of refining and working metals are so useful <sup>Metallic</sup> in themselves, and so necessary to the practice of other <sup>arts.</sup> arts, that they merit some attention in every period. The keen pursuit of the philosopher's stone, in which many ingenious men were at this time engaged, contributed not a little to make them better acquainted with the nature and composition of metals, and with the arts of compounding, melting, and refining them. With the arts of tempering and polishing steel, and thereof fabricating de-

(27) Mr. King's Observations on ancient Castles.

(28) *Id. ibid.*

defensive armour and offensive arms, they were well acquainted. Of copper they not only made many useful utensils, but even statues. The sum of four hundred pounds was paid, A. D. 1395, to Nicolas Broker and Godfrey Priest, citizens of London, and copper-smiths, for two statues, one of the king and another of the queen, made of copper, and gilt, with crowns on their heads, their right hands joined, and holding scepters in their left hands (29). Statues of brass were still more common in churches, and on monuments (30). The goldsmiths and jewellers were very numerous, and some of them excelled in their profession. The goldsmiths of London represented to Edward III. A. D. 1341, that many of their workmen had lost their sight by the heat of fire and the fumes of quick-silver; and that several others had become paralytic, infirm, and weak, by performing other parts of their work; and upon this representation, and their petition, that prince granted them leave to found and endow an hospital for the reception of those who had lost their sight, or their health, in their service (31). This seems to indicate, that workmen of that kind, at that time, in London, were very numerous. That some of them excelled in their profession, appears from the testimony of contemporary writers, and records, and from their descriptions of many beautiful pieces of gold and silver plate. Alan de Walsingham, a monk of Ely, in the thirteenth century, and several others, are celebrated for their superior skill in the goldsmith's art; and it is impossible to peruse the description of the gold and silver plate and jewels taken from Piers Gavaston, the unfortunate favourite of Edward II. by the earls of Lancaster and Warwick, without admiring both the quantity and workmanship (32). Some pieces of the silver plate in that collection are said to have been worth four times the quantity of silver which they contained (33). At the triumphant entry of Richard II. and his good queen Anne, into London, A. D. 1392, the citizens, besides many other gifts, presented a crown of gold to the king, and another to the queen, both of great va-

(29) Madox *Firma Burgi*, p. 33, note (o).

(30) Walpole's *Anecdotes of Painting*, vol. i. p. 20.

(31) *Rym. Ford.* tom. 5. p. 246.

(32) T. Walsing. *Hist. Ang.* p. 104. *Rym.* tom. 3. p. 388. Walpole's *Anecdotes of Painting*, vol. i. ch. 1, Sec.

(33) *Id.* *Ibid.*



lue, at the Fountain in Cheapside; and when the procession had advanced a little further, they presented a table of gold, with a representation of the Trinity upon it, worth eight hundred pounds, equivalent to eight or ten thousand pounds of our money, to the king; and another table of gold, with the figure of St. Anne upon it, of equal value, to the queen (34). There is the fullest evidence, that England was very rich in gold and silver plate in this period: for, besides the immense masses of those precious metals in the cathedral, conventual, and other churches, made into images, altar-tables, vessels and utensils of various kinds, some of the nobles had greater quantities of plate than we could imagine. When the palace of the Savoy, belonging to John of Gaunt duke of Lancaster, was burnt, with all its rich furniture, in the great insurrection, A. D. 1381, the keeper of the duke's wardrobe declared, upon oath, That the silver, silver-gilt, and gold plate, in that palace, would have loaded five carts (35). The arts of gilding works made of other metals with gold, and of embossing and enchasing gold and silver plate, were well known in this period. Gilt plate and gilt statues are frequently mentioned by our ancient historians; and we may be certain, that the figures representing the Trinity and St. Anne upon the two tables of gold, presented by the citizens of London to Richard II. and his queen, were embossed or enchased (26). Nor was the still more delicate art of enamelling plate and jewels unknown in the times we are now considering. It appears, from the descriptive catalogue published by Mr. Rymer, that besides jewels there were several pieces of enamelled plate in the collection of Piers Gavaston (37).

The arts of cutting and setting precious stones in Lapidaries crowns, rings, and other ornaments, though they are rather ornamental than necessary, may not improperly be introduced in this place, as they are so nearly connected with the metallic arts. They were far from being unknown in Britain in this period: for it is not credible, that all the jewels (which appear to have been very numerous

(34) Knighton, apud X Script. col. 2740. (35) Id. ibid. col. 2635.

(36) Madox Firma Burgi p. 33. note (o). Anglia Sacra, tom. 1. p. 414. Knighton, col. 2740.

(37) Rym. Fœd. tom. 3. p. 388, &c.

and valuable in the possession of our kings, nobles, and prelates, at this time, were of foreign workmanship. Though Henry III. was one of the most indigent princes that ever filled the throne of England, he had many curious and valuable jewels, which he was sometimes obliged to pawn. Among the jewels which he gave in pawn to the king of France, A. D. 1261, for five thousand marks, and relieved A. D. 1272, there were no fewer than 324 gold rings, set with precious stones of various kinds (38).

Art of  
making  
clocks.

It is not known to whom we are indebted for the invention of the ingenious and useful art of making clocks of metal for measuring time and striking the hours. The first clock we hear of in Britain was placed in the old clock-tower opposite to the gate of Westminster-hall, and is said to have been purchased with part of a fine of 800 marks imposed upon Randolff de Hengham, chief justice of the king's-bench, A. D. 1288 (39). Soon after this (A. D. 1292) another clock, which cost 30l. equivalent to 400l. of our money at present, was set up in the cathedral of Canterbury (40). These most ancient clocks were probably imported, or made by a foreign artist. For about seventy years after this, Edward III. invited three foreign clock-makers, viz. John Uninam, William Uninam, and John Lutnyt of Delit, to come into England, and granted them his royal protection to exercise their trade of clock-making in any part of his kingdom, without molestation (41). The design of this protection certainly was, to increase the number of these artists in his dominions, that their works might be more easily obtained. By these means, clocks were not uncommon in England, especially in cathedral and conventual churches, before the end of the fourteenth century. Chaucer compares the crowing of a cock to a church-organ for sweetness, and to a church-clock for exactness as to time:

His voice was merier than the merie organ,  
On a church-organ in the churches gon,  
Wel Chaucer was he crowing in his loge,  
Than a clock, or abbaye horologe (42).

(38) Rym. Fed. tom. 1. p. 720. 788

(39) Seiden, Pref. to Hengham. Clock's 3d Inst. p. 72. 4th Inst. p.

(40) Dart's Canterbury, Append. p. 3.

(41) Rym. Fed. tom. 6. p. 599. (42) Chaucer's Works, p. 169.

Clocks were not only numerous, but the art of making them was brought to a considerable degree of perfection in England before the end of this period. This appears from the following description of an astronomical clock made by Richard de Wallingford, abbot of St. Alban's in the reign of Richard II. Leland, who seems to have seen and examined this famous clock, having told us that Richard de Wallingford was the greatest mathematician, astronomer, and mechanic of his age, proceeds in this manner: "After he was chosen abbot, his ardent love of learning and intense application to study, did not in the least abate. On the contrary, being now possessed of wealth and leisure, he resolved to leave a lasting monument of his ingenuity, art, and learning. With this view, he fabricated, at a great expence of money, thought, and labour, a most wonderful clock, which represents the revolutions of the sun and moon,—the fixed stars, the ebbing and flowing of the sea,—besides an almost infinite number of other lines and figures. When he had finished this astonishing piece of mechanism, to which, in my opinion, there is nothing in Europe comparable, he composed a book of directions for managing and keeping it in order, that it might not be ruined by the ignorance of the monks (43)."

Watches were also made, or at least used, in Britain, Watch-making not long after the beginning of the fourteenth century. A watch of that date was lately found by some labourers at Bruce-castle in Fifeshire, and is now in the possession of his present majesty, the illustrious descendent of its original proprietor, the heroic Robert Bruce, king of Scotland from A. D. 1306 to A. D. 1329. This very curious piece of antiquity is thus described by a learned and honourable gentleman, who examined it with attention: "The outer case is of silver, raised, in rather a handsome pattern, over a ground of blue enamel; and I think I can distinguish a cypher of R. B. at each corner of the enchased work. On the dial-plate is written *Robertus B. Rex Scottorum*, and over it is a convex transparent horn, instead of the glasses which we use at present.—

(43) Leland de Scriptoribus Britannicis, tom. 2. p. 104.

“ This very singular watch is not of a larger size than those which are now in common use (44).

Cloth manufacture.

The people of Flanders and the Netherlands had long been the chief manufacturers of woollen cloth in Europe, and had thereby acquired immense wealth, which naturally excited the envy and emulation of other nations (45). The English in particular having great quantities of the most excellent wool, by degrees became sensible of the great advantages with which the manufacturing of it at home would be attended; and from time to time encouraged that manufactory (46). But that great and wise prince Edward III. made the most vigorous and successful efforts to that purpose. In the fifth year of his reign, A. D. 1331, John Kempe, a famous woollen-manufacturer of Flanders, came into England with his workmen and apprentices, and was most graciously received by Edward; who took him under his immediate protection, and published a proclamation, promising the like protection and favour to all foreign weavers and fullers who would come and settle in England (47). In consequence of that invitation, no fewer than seventy families of Walloons came and settled in England the same year; and these were followed by many others in the succeeding years of that reign (48).

Laws for the encouragement of the manufacturing woollen cloth.

The parliament of England seconded the prudent and patriotic views of that prince, by making several statutes for the encouragement of the woollen manufactory, A. D. 1337. By one of these statutes, the exportation of wool, either by foreigners or denizens, is made felony, until the king and his council shall order it otherwise; by another, it is enacted, that no foreign cloths shall be imported into the king's dominions, under the penalty of the forfeiture of the cloths, and the importer to be punished at the king's will; by a third, none were to wear any foreign cloths except the royal family; and by a fourth, cloth-workers of all countries were invited to come into the king's dominions, by promises of pro-

(44) *Archæologia*, vol. 5. p. 410, 420.

(45) *Germaniæ*, apud X. Script. col. 1349.

(46) See vol. 3. chap. 5.

(47) *Rym. Fœd. tom. 4. p. 496.*

(48) *Id. ibid. p. 723. 751.*



tection and encouragement (49). Though these laws were premature, and could not be executed in their full extent at that time, they had a great effect, and contributed very much to the establishment of the woollen manufacture in England.

The people in general, and the weavers in particular, did not immediately perceive the salutary tendency of these measures of the king and parliament. On the contrary, they were much offended to see such crowds of foreign weavers settling in all the principal towns of England, and thriving by their skill and industry. In London those hated foreigners were so cruelly insulted, that their lives were continually in danger. To put a stop to those outrages, which threatened the disappointment of his designs, Edward issued a mandate to the mayor and sheriffs of London, A. D. 1344, to apprehend every person who gave any disturbance to the foreign cloth-weavers, to commit them to the prison of Newgate, and send him an account of their names, that they might be punished (50).

By these and the like means, that excellent prince established the manufactory of woollen cloths of many different kinds in England, in so effectual a manner, that before the end of his reign it was in a very flourishing state. This appears from a curious paper published by Mr. Rymer, in the seventh volume of his *Fœdera*, containing a grant from Richard II. A. D. 1382, to Cosimo Gentilis, the collector of the pope's revenues in England, to export a great many pieces of different kinds of cloths of various colours, without paying any duty (51). The first article in that grant consists of six pieces of tapestry of a green ground, powdered with roses, which the king sent as a present to the pope. If this was the manufactory of England, which is very probable, it affords sufficient evidence, that the weaving art, and the other arts connected with it, had then attained a considerable degree of perfection.

Though the cruel and destructive art of war was never more necessary nor more practised in Britain than in the present period, few improvements of importance in that were

(49) Statutes at Large by Mr. Russell, vol. 1. p. 221.

(50) Rym. Fœd. tom. 5. p. 429.

(51) Ib. ibid. tom. 7. p. 356.

art, in the course of the thirteenth century. The armies were constituted, commanded, and armed in the same manner as in the former period, which hath been already described (52).

Military  
engines.

The engines employed in battering the walls of towns and castles, acted with great force, and some of them were of an enormous size. Those used by Edward I. at the siege of Stirling castle, A. D. 1303, threw stones of three hundred pounds weight (53). One of these stones was thrown with so much force (if we may believe Matthew of Westminster) that it passed through both the outward walls of the castle (54). When Edward III. invaded Brittany, A. D. 1342, he carried his engines with him from the tower of London to Sandwich, with an intention to transport them to the continent; but not being able to procure a sufficient quantity of shipping to transport both his troops and engines, he left these last behind him, and gave a commission to John de Wynewyk and William de Hurle, to press as many ships in all the ports of the kingdom as would be necessary to carry back the engines to the tower (55). This is a sufficient proof that those instruments of destruction were of a great size, as well as very numerous. This ancient artillery continued to be used in sieges a considerable time, some of them two centuries, after the invention of gunpowder and cannon (56).

Greek-fire.

Greek-fire continued also to be employed in war, long after the introduction of fire-arms, particularly in the attack and defence of strong places. When an English army, commanded by the martial bishop of Norwich, besieged Ypres, A. D. 1383, the garrison, it is said, defended themselves so with stones, arrows, lances, Greek-fire, and certain engines called *guns*, that they obliged the English to raise the siege with such precipitation that they left behind them their great guns, which were of inestimable value (57). A part of that army was soon after besieged in the town of Burborough, by the French, who threw such quantities of Greek-fire into it, that they

(52) See vol. 3.

(53) W. Hemmingford, p. 205.

(54) Mat. Westm. lib. 2. p. 448.

(55) Kyn. Ford. tom. 5. p. 350.

(56) P. Daniel. Histoire de la Milice Francoise, tom. 1. p. 319.

(57) T. Walsing. p. 303.

burnt a third part of the town, which obliged the English to capitulate (58).

The cross-bow was considered as so destructive an instrument, that the use of it amongst Christians against one another was prohibited by a canon of the second council of Lateran, A. D. 1139, and by a bull of pope Innocent III. in the beginning of the thirteenth century, which for a time had their effect (59). But by degrees these prohibitions were disregarded, the cross-bow was resumed, and continued in use during the whole of this period. It was a very destructive instrument, throwing arrows or quarrels to a great distance. These quarrels were larger than other arrows, some of them were made of brass, and pointed with steel (60).

It may seem surprising, that the invention of gunpowder made so little alteration in the art of war for so long a time. This was owing to several causes. The art of making gunpowder was long very imperfect, and known to few; and the art of making instruments proper for applying it to the purposes of war was still more imperfect. In consequence of this, both gunpowder and fire-arms were long very scarce and very dear. We cannot suppose that the cannons which the English left behind them when they raised the siege of Ypres, A. D. 1383, were either very large or very numerous; and yet we are told by a contemporary historian, that their value was inestimable. The same historian relates, that an English fleet, A. D. 1386, took two French ships with valuable cargoes; and a quantity of gunpowder was found in one of them, which was of greater value than all the other commodities (61). Besides this, the warriors of those times were in possession of very powerful instruments of destruction, with the management of which they were well acquainted, and therefore we may presume that they were not very forward in adopting new ones of so different a nature.

But though the invention of gunpowder and fire-arms did not produce immediately any very remarkable change in military matters; yet by slow degrees, and in length of time, it brought about an almost total alteration in the

(58) T. Walsing. p. 304.

(59) P. Daniel, tom. 2. p. 308.

(60) Rym. Fæd. tom. 3. p. 16.

(61) T. Walsing. p. 323.

Invention  
of gun-  
powder.

art of war: and therefore it may be proper to pay some attention to the progress of this great revolution.

That the ingredients of gunpowder, and the art of making it, were known to our ingenious countryman Roger Bacon, is undeniable (62). But that humane philosopher, dreading the consequences of communicating this discovery to the world, transposed the letters of the Latin words which signify charcoal, which made the whole obscure (63). By this means he rendered it difficult to discover this dangerous secret by the perusal of his works, and at the same time secured to himself the honour of having known it, if it should be discovered by any other person. This accordingly happened not long after Bacon's death: for about the beginning of the fourteenth century one Barthold Schwartz, a German monk and chymist, accidentally discovered gunpowder as he was pounding saltpetre, sulphur, and charcoal in a mortar, for some other purpose (64).

Introduc-  
tion of fire-  
arms.

It is difficult to discover the exact time when gunpowder and fire-arms were first employed in war by the British nations. If we may give credit to John Barbour, archdeacon of Aberdeen, in his metrical life of king Robert Bruce, Edward III. had cannon (which that author calls *crakys of war*) in his first campaign against the Scots A. D. 1327. On that occasion, he acquaints us, the Scots observed two great novelties in the English army which he thus describes:

Two novelties that day they saw;  
That forouth in Scotland had been nane.  
Timbers for helmes was the ane,  
That they thought then of great beautie,  
And also wonder for to see.  
The other crakys were of war,  
That they before heard never air (65).

It is probable that the archdeacon received this anecdote from some of his countrymen who had been in the Scotch army, and heard these crakys of war; as he wrote his book only about forty years after that time. It seems to

(62) Baconi Epistola de Secretis Operibus Artis et Naturæ, chap. 11.

(63) Sed tamen talis petræ, *luru mope can vbre* (carbonum pulvere), et sulphuris; et sic facies tonitrum et corruscationem, si scias artificium.

(64) Du Cange Gloss. voce Bombarda.

(65) Barbour's Life of Bruce, p. 408, 409.



have been several years after this, when the Scots first made use of canon; which it is probable they received from France; for a fleet consisting of five large ships, loaded with men and arms, arrived in Scotland from France A. D. 1339, which encouraged the Scots to attempt the recovery of those strong places which the English still possessed in Scotland. With the assistance of these auxiliaries they took Perth, and then besieged the castle of Stirling; and being informed that an army was ready to march from England to its relief, they battered the place with cannon and other engines, and compelled the garrison to capitulate (66). That fire-arms were used in France at that time, and before it, appears from the following article in the accounts of the treasurer of war, A. D. 1338:—"To Henry de Faumichan, for gun-powder and other things necessary for the cannon at the siege of Pui Guillaume (67)." Edward III. had cannon in his army at the famous battle of Cressy, and still more famous siege of Calais, A. D. 1346 (68). By degrees the use of cannon became more and more common, so that in a few years the consternation that was at first produced by their explosion was very much abated. This we learn from the illustrious Petrarch, in his dialogues on the remedies of good and bad fortune, which were written A. D. 1358. In one of these dialogues between G. and R. is the following remarkable passage: "G. I have cross-bows, and other machines of war. R. I am surprised that you have not also some of these instruments which discharge balls of metal with the most tremendous noise, and flashes of fire.—These destructive plagues were a few years ago very rare, and were viewed with the greatest astonishment and admiration; but now (1358) they are become as common and familiar as any other kind of arms. So quick and ingenious are the minds of men in learning the most pernicious arts (69)!"

Cannon, or as they were called, *bombards*, were the most ancient fire-arms (70). The first cannon were very clumsy and ill contrived, wider at the mouth than

(66) Froissart, l. 1. c. 74.

(67) Du Cange Gloss. voce Bombarda.

(68) I. Villani, l. 12. c. 66. Froissart, l. 1. c. 144.

(69) Petrarch, De Remediis utriusque Fortunæ, Basil edit. p. 84.

(70) Du Cange Gloss. voce Bombarda.

at the chamber, and so like a mortar that it is probable the idea of them was suggested by that in which Schwartz pounded his materials when he discovered gunpowder (71). This capital error in the art of making cannon was soon corrected; but others still remained. They were all made of iron, without any mixture of other metals; some of them were too long, and others of them too short (72). In a word, the art of making cannon was still very imperfect long after the conclusion of this period.

Made in  
England.

Both gunpowder and cannon were made in England in the fourteenth century. This appears from a commission given to Thomas Norwich by Richard II. A. D. 1378, to buy two great and two small cannon in London, or any other place, and also to buy certain quantities of saltpetre, sulphur, and charcoal, for making gunpowder (73). From the same commission, as well as from other evidences, it appears, that cannon-balls were at first frequently made of stone: for the same person is therein commanded to purchase six hundred balls of stone, for cannon and for other engines (74).

Hand-canon.

Besides great guns, which are still named *cannon*, a smaller kind of fire-arms, called *hand-cannon*, came into use in this period. They were so small and light, that one of them was carried by two men, and fired from a rest fixed in the ground (75). The four hundred cannon, or the greatest part of them, with which an English army besieged St. Malo A. D. 1378, must have been of this kind (76).

Prisoners of  
war.

It was a happy circumstance, that in those turbulent times avarice gave some check to cruelty, and many persons who might have been killed in battle were saved, and taken prisoners, for the sake of their ransoms. These ransoms were commonly as great as the captives were capable of paying; and many prisoners were obliged to sacrifice their fortunes to regain their freedom. To say nothing of the ransoms of the kings of France and Scotland, Bertrand du Guescline, constable of France, who was taken by the English A. D. 1368, paid no less than

(71) P. Daniel, tom. 1. p. 322.

(72) Id. ibid. 6. chap. 5.

(73) Rym. Fœd. tom. 9. p. 187.

(74) Id. ibid. P. Daniel, tom. 1. lib. 6. p. 324.

(75) Id. ibid. p. 321.

(76) Froissart, tom. 2. p. 34.

one hundred thousand franks of gold before he could obtain his liberty (77). By this means war became a very gainful trade to those who were so fortunate as to take many or wealthy prisoners. The famous sir Walter Manny, who acquired so much fame and wealth by war in the reign of Edward III. gained no less than 8000l. (containing as much silver as 24,000l. and equal in value to 100,000l. of our money at present) by the prisoners he had taken in one campaign, A. D. 1340 (78). Prisoners of war were so much the property of their captors, that they sometimes sold them, and sometimes left them in legacies to their friends; and when they did not dispose of them, they descended to their heirs (79). But to prevent dangerous prisoners from being too easily set at liberty, the king had a power to demand them from their captors, on paying a competent sum for their ransom, or to command their captors not to ransom them without a royal licence (80).

## SECTION II.

*History of the fine and pleasing arts of Sculpture, Painting, Poetry, and Music, in Britain, from A. D. 1216, to A. D. 1399.*

SEVERAL things contributed to promote the cultivation of the fine arts in the present period. In particular, —the manner of building and furnishing churches,—the forms of public worship,—the opulence of the clergy,—and the splendour and munificence of the greater barons. These things furnished constant employment, and ample rewards, to the professors of the pleasing arts, and rendered a genius for sculpture, painting, poetry, and music, equally honourable and profitable to the professor.

(77) Froissart, tom. 2. p. 332. (78) Rym. Fœder. tom. 5. p. 193.

(79) Id. ibid. p. 531. 535.

(80) Id. ibid. p. 532. Patquier, Recherches de la France, p. 379.

Sculpture.

Many cathedral, conventual, and other churches, were built in Britain in this period, which were in general magnificent structures, ornamented on the outsides with statues of all dimensions, and with various figures of angels, saints, popes, prelates, and monks, in basso and alto relievo. The statues and sculptures that were executed in France, have been better preserved than those of Britain; and plates, with descriptions of many of them, have been published by father Montfaucon; who declares,—That the sculptors of the thirteenth century greatly excelled their predecessors in several respects (1). Besides those which have been defaced by time and the injuries of the weather, many of the statues and sculptures which ornamented the churches of this island were demolished by violence at the reformation, or in the civil wars of the last century; but those few which still remain confirm the truth of father Montfaucon's declaration (2).

Statues.

That superstitious veneration which was universally paid to crucifixes, and to the images of the Virgin Mary, the apostles, and other saints, furnished another branch of business to the statuaries of this period; and they were excited, by the most ample rewards, to exert all their skill to give those objects of the people's devotion a graceful and venerable appearance. Several of the clergy, and particularly of the monks, applied to the pious work (as it was then esteemed) of making images for their churches, and were prompted by their religious zeal, and by the prospect of obtaining both wealth and honour, to render them as attracting as possible. Walter de Colcester, sacrist of the abbey of St. Alban's, is celebrated by Matthew Paris, his contemporary, and a monk of the same abbey, as an admirable statuary; and several of his works are described as exquisitely beautiful (3).

Shrines and  
tombs.

The shrines of saints, with the tombs of princes, prelates, barons, knights, and their ladies, afforded further employment to the statuaries and sculptors of this period; as they were generally adorned with statues, and some of them with a great number of figures (4). Some of these

(1) Montfaucon *Monumens de la Monarchie Francoise*, tom. 1.

(2) Fox's *AGs and Monuments*, p. 369. col. 1.

(3) M. Paris, *Vite Abbatum*, p. 86, 81.

(4) See Brown Willes *Cathedrals*, Weaver's *Monuments*, &c.



works were probably executed by foreign artists; as, particularly, the shrine of Edward the Confessor, in Westminster abbey, by Peter Cavalini, a Roman sculptor (5). But, upon the whole, we have sufficient evidence, that this art was cultivated with care and success in Britain in this period. For, besides all the statues that were used at home, we find that some, probably considerable numbers, were exported. Richard II. granted a licence to Cosmo Gentiles, the pope's collector in England, A. D. 1382, to export three great images, one of the Virgin Mary, one of St. Peter, and one of St. Paul, and a small image of the Holy Trinity, without paying any duty or custom for them; which seems to indicate, that certain customs were then payable on the exportation of such commodities (6).

When sculpture was cultivated, the kindred art of <sup>Painting.</sup> painting could not be neglected. On the contrary, there are the clearest proofs remaining, that painting was cultivated with still greater diligence and success than the other (7). In particular, painting appears to have flourished very much in the former part of this period, under the patronage of Henry III. who was a most munificent encourager of the fine arts (8). This prince kept several painters constantly in his service, as William, a monk of Westminster; William, the Florentine; and Mr. Walter, who was probably Walter de Colecester, so much celebrated by Matthew Paris for his admirable genius for painting as well as sculpture (9). By these and others, many historical paintings were executed for him, in his several palaces of Winchester, Woodstock, Westminster, the Tower of London, Nottingham, Northampton, Windsor, Guilford, and Kenelworth. One chamber in the palace of Winchester was painted green, with stars of gold, and the whole history of the Old and New Testament (10). In one room in the palace of Westminster, and in another in the Tower of London, the history of the expedition of Richard I. into the Holy

(5) Mr. Walpole's *Anecdotes of Painting*, vol. 1. p. 18.

(6) *Rym. Fœd.* t. 7. p. 357.

(7) See the learned and ingenious Mr. Walpole's *Anecdotes of Painting*, from p. 1. to p. 32.

(8) *Id.* p. 21.

(9) *Id.* p. 15, 16. M. Paris, *Vita Abbatis*.

(10) *Anecdotes, &c.* vol. 1. p. 7.

Land was painted (11). These pictures (to say nothing of many others) must have contained a prodigious number of figures; but with what degree of taste they were executed, we have no opportunity of judging. Though some succeeding princes were not so fond of paintings as Henry III. had been, the art still continued to flourish; and we have reason to believe, that good painters wanted neither patrons nor employment. The coronation, wars, marriages, and funeral of Edward I. were painted on the walls of the great hall in the episcopal palace of Litchfield, A. D. 1312, by order of bishop Langton (12). Friar Simeon saw a still more curious picture in the palace of Westminster, A. D. 1322; which he thus describes:—"Near this monastery (of Westminster) " stands the most famous royal palace of England, in " which is that celebrated chamber, on whose walls all " the warlike histories of the whole Bible are painted " with inexpressible skill, and explained by a regular " and complete series of texts, beautifully written in " French, over each battle, to the no small admiration " of the beholder, and display of royal magnificence (13)." So intent was Edward III. upon finishing the paintings in the chapel of his palace of Westminster, that he granted a precept, dated 18th March, A. D. 1350, to Hugh de St. Alban, master of his painters, commanding him to impress all the painters in the counties of Kent, Middlesex, Essex, Surry, and Suffex, to conduct them to Westminster, and keep them in his services as long as it should be necessary. Apprehending that all these would not be sufficient, he granted similar precepts, of the same date, to John Athelard and Benedict Nightingale, to impress all the painters in the counties of Lincoln, Northampton, Oxford, Warwick, Leicester, Cambridge, Huntingdon, Norfolk, and Suffolk, for the same purpose (14). These paintings must have been numerous and extensive, whatever they were in other respects. The truth is, that the principal churches and chapels were not only furnished with portraits of the Virgin Mary, the apostles, and other saints, but the walls of some of them were almost covered with scriptural, moral,

(11) Aeneas, &c. vol. 1. p. 11.

(12) Wharton's History of Poetry, vol. 2. p. 216.

(14) Rymer Fœd. tom. 5. p. 678.

(13) Id. *ibid.*

and allegorical paintings (15). So great and general was the taste for paintings in this period, that not only the walls of churches and palaces, but even the bed-chambers of private gentlemen, were ornamented with historical pictures. When Chaucer was roused from his famous poetical dream, he expressed his surprise, that all the gay objects which he had seen in his sleep were vanished, and he saw nothing

Save on the wals old portraiture  
Of horsemen, haukes, and houndis,  
And hart dre all full of woundis (16).

This, I am persuaded, is a real description of the poet's bed-chamber. In the same poem, Chaucer describes a church-window :

———— richly ypoint  
With lives of many divers feint.

And it is well known, that painting on glass was much practised, and brought to great perfection, in the present period (17). The same may be said of another species of painting, which was called *illuminating*. This appears from manuscripts beautifully illuminated, which are still preserved in the British Museum, and other libraries, from which several prints have been published (18). Nay, so fashionable was the study of painting in this period, that it was esteemed as necessary a part of the education of a young gentleman as writing. It is said of the squire, or knight's son in Chaucer,

——— Songis he could make, and well endite,  
Juil, and eke daunce, and well portraie and write (19).

Though Britain abounded as much with poets in the Poetry. thirteenth century as in any other period, and though they were as much admired by their contemporaries as those who flourished in better times, few or none of them are

(15) Fox's Acts and Monuments, p. 370. col. 1. Warton's History of Poetry, p. 217. note (a).

(16) Chaucer's Works, by Urry, p. 587. col. 1.

(17) Chaucer's Works, by Urry, p. 584. col. 2.

(18) See Mr. Strat, vol. 2, 3.

(19) Chaucer's Works, p. 2.

now famous: their names are generally forgotten, and their works neglected. This obscurity is perhaps as much owing to the antiquated nature of the languages in which they wrote, and the subjects of which they sung, as to the mediocrity of their poetical talents.

Metrical  
chronicles  
and ro-  
mances.

To say nothing of sonnets, and other short pieces of poetry, the larger poems composed in the thirteenth century were either metrical chronicles or metrical romances; and the languages in which they were written were either Latin, French, or English; which last is now become almost as unintelligible to a mere English reader as the two former.

Robert of  
Gloucester.

Robert of Gloucester, who was a monk in the abbey of Gloucester, and flourished in the reigns of Henry III. and Edward I. composed a rhyming chronicle of England, from Brutus to Edward I. which hath been printed (20). Our author, it must be confessed, was but an indifferent poet, and a worse historian, having adopted the absurdest fables of Geoffrey of Monmouth, and clothed them in tiresome inanimated rhymes. His language was the vulgar English of the age in which he wrote, is full of Saxonisms, and hardly intelligible to a modern reader. The following fabulous account of the transportation of Stonehenge from Africa to Ireland by giants, and from thence to Salisbury plain by Merlin, will justify the above strictures, and be a sufficient specimen of this work. King Arthur having consulted Merlin about erecting a monument in honour of the Britons who had been treacherously slain by the Saxons near Amesbury, the magician replied,

Sire kyng, quoth Merlin, tho' gif thou wolt here caste  
In the honour of men, a wurke that ever schal ylaste,  
To the hul of Kilar send into Yrionde,  
Aftur the noble stones that ther habbet lenge ystonde,  
That was the trick of giandes, for a quoynte work there is  
Of stones all wyth art ymad in the world such non ys.  
Ne ther nys nothing that me scholde myd strenghe adoune cast.  
Stode heo here, as heo doth there ever a wolde last.  
The kyng Somedeles to lyght, though he herde this tale,  
How mygte, he seyde, such stones, so grete and so sale,  
Be ybrought of so fer lond? And get mist of were,  
Me wolde wene, that in this londe no ston to wonke nere.  
Syre kyng, quoth Merlyn, ne make noght an ydel such lyghyng.  
For yt nys an ydel noght that ich tell this tythyng.

(20) See Robert of Gloucester's Chronicle, 2 vols. Oxon. 1724.



For in the farrreste stude of Affricgiands while sette  
 Thike stones for medycyne and yn Yrlonde him sette,  
 While heo wonenden in Yrlonde to make here bathes there,  
 Ther undir for to bathi wen this syk were.  
 For heo wuld the stones wasch, and ther enne bath ywis.  
 For ys no stone ther among that of grete vertu nys.  
 The kyng and ys conseil radde the stones for to sette,  
 And wyth gret power of batail, gif any mon him lette.  
 Uter the kynges brother, that Ambrose hett also,  
 In another name, yehose was thereto,  
 And fiftene thousand men this dede for to do;  
 And Merlyn for his quintife thioer went also.

\* \* \* \* \*

Ye yonge men, quoth Merlyn, cutheth now your mygte,  
 How ye now thi stoncs best to the schip dygte.  
 Hea stode and bithogte him best, and cables sette ynowe,  
 And laddres and leveres, and fast schow and drowe.  
 Ac heo ne migte come for nothing to end myd here wille.  
 Merlyn say this, and low, and bad him stonde stille.  
 He sette by gynges, as he wold, and ys quoyntife dede stille.  
 And the folk myd tho stones bo dule all here wille:  
 And lette him to schippes brynge, and so into this londe,  
 Ac ther was som inchantery ther to inch understonde (21).

Peter Langtoft, a canon in the monastery of Bridling-  
 ton in Yorkshire, flourished at the same time with Ro-  
 bert of Gloucester, and wrote a chronicle of England  
 from Cadwallader to Edward I. in French verse. This  
 work was properly a continuation of an ancient metrical  
 chronicle in the same language; the first part of which  
 had been composed by one Eustace, A. D. 1155, and the  
 second part by Robert Wace, canon of Bayeux, A. D.  
 1160 (22). All the three parts of this chronicle were  
 translated into English verse by Robert Manning, who is  
 better known by the name of Robert de Brunne, from the  
 monastery of Brunne in Lincolnshire; in which he was a  
 monk. He acquaints us with the motives which engaged  
 him to make this translation in his prologue to the first  
 and second parts, and of the contents of these two parts:

Lordyngs that be now here,  
 If ye wille listene and here,  
 All the story of Inglande,  
 As Robert Manning wrytten it fand,  
 And on Englysch has it schewed,  
 Not for the lered, but for the lewed.  
 And it is wisdom forto wrytten,  
 The state of the land, and hef it wrytten,

(21) Robert of Gloucester, v. 1. p. 145—148.

(22) Warton's Hist. Poet. v. 1. p. 62, 63.

What mannere of folk first it wan,  
 And of what kynde it first began.  
 And gude it is for many thynges,  
 For to here the dedis of kynges,  
 Whilk were soles, and whilk were wyse,  
 And whilk of them couth most quantyse,  
 And whilk did wrong, and whilk ryght,  
 And whilk mayntined pes and fyght.  
 Of thare dedis fall be mi sawe,  
 In what tyme, and of what law,  
 I sholl you from gre to gre,  
 Sen the tyme of sir Noe :  
 From Noe unto Æneas,  
 And what betwixt tham was,  
 And fro Æneas till Brutus tyme,  
 That kynde he tells in this ryme.  
 Fro Brutus to Cadweladres,  
 The las Briton that this lande teas (23).

In his prologue to the third part, he gives the following short account of its original author :

Pers of Langtoft, a chanon  
 Schaven in the house of Bridlyngton  
 On Fraunce's style this storie he wrote  
 Of Inglis kinges, &c.

Robert de Brunne's translation of Langtoft's part of this chronicle hath been printed ; and therefore it is not necessary to swell this section with any specimen from that part (24).

Catalogues  
 of metrical  
 romances.

Metrical romances, celebrating the wonderful achievements of valiant and gentle knights, were the most frequent and favourite productions of the poets of the thirteenth century. Incredible numbers of these romances were composed in France and England in that period ; and hearing them repeated or sung to the music of the harp, in the halls of palaces and castles, formed one of the chief amusements of persons of the highest rank. The following catalogues of a few of these romances will give the reader some idea of their numbers, their heroes, and their subjects :

(23) Warton's Hist. Poet. vol. 1. p. 64, 65.

(24) See Peter Langtoft's Chronicle, illustrated and improved by Robert de Brunne, 2 vols. Oxon. 1725.

Many Romayns men make new,  
 Of good knyhtes and of trewe :  
 Of ther dedes men make romauns,  
 Both in England and in Fraunce.  
 Of Rowland and of Olyvere,  
 And of everie Dosepere,  
 Of Alysaundre and Charlemayne,  
 Of kyng Arthur and of Gawayne ;  
 How they wer knyghtes good and courtoys,  
 Of Turpen and of Oger the Danois ;  
 Of Troye men rede in ryme,  
 Of Hector, and of Achilles,  
 What folk they slew in pres, &c (25).

#### Another.

Herkene now how my tale gothe :  
 Though I swere to you no othe,  
 I wyll you rede romaynes none,  
 Ne of Partenape, ne of Ypomedon,  
 Ne of Alefaunder, ne of Charlemayne,  
 Ne of Arthur, ne of Gawayne,  
 Ne of Lancelot du Lake,  
 Ne of Bevis, ne of Guy, of Sydrake,  
 Ne of Ury, ne of Octavian,  
 Ne of Hector, the strong man,  
 Ne of Jason, neither of Achilles,  
 Ne of Eneas, neither of Hercules, &c (26).

#### Another :

—Men that romaunces rede,  
 Of Revys, Gy, and Gawayne,  
 Of kyng Richard, and Owayne,  
 Of Tristram and Percyvayle,  
 Of Rowlandris, and Aglavaule,  
 Of Archeroun, and of Cassibedlan,  
 Of Keveloke, Horne, and of Wade,  
 In romaunces that of him bi made,  
 That gestours dos of him gestes,  
 At mangeres, and at great festes, &c (27).

#### Another :

Men lykyn gestis for to here  
 And romans ride in diverse manere  
 Of Alexander the conquerour,  
 Of Julius Cæsar the emperour,  
 Of Greece and Troy the strong stryf,  
 Ther many a man lost his lyf :  
 Of Brut that baron bold of hand  
 The first conqueror of England,  
 Of king Arthur that was so ryche,  
 Was none in his tyme so clyche,  
 Of wonders that among his knyghts felle,

(25) Warton's Hist. Poet. vol. 1. p. 122.

(26) Warton's Hist. Poet. vol. 1. p. 123.

(27) Id. ibid. p. 119. note (y).

And Auntysr didyn, as men her telle,  
 As Gawayne and other full Abylle,  
 Which that kept the round tabyll,  
 How king Charles and Rowland saught  
 With Sarazins, nold thei be caught :  
 Of Trytram and Yfoude the swete  
 How thei with love first gan mete.  
 Of kyng John and of Isinbras  
 Of Ydoyne and Amadas.  
 Stories of divers thynges  
 Of princes, prelates, and kynges,  
 Many song, of divers ryme  
 As English, French, and Latyne (28).

Contradict  
 tree  
 history.

The authors of these metrical romances paid very little regard to the true history of their respective heroes, but boldly contradicted the best known and best established facts. Nothing, for example, was better known in the thirteenth century, when the romance of our king Richard I. was written, than that he was the son of Henry II. and his queen Eleanor of Provence. But this plain story did not please the author of that romance, who opens his poem with the following fiction. Henry II. having, by the advice of his barons, resolved to marry, sends messengers into many different countries, with directions that—

The fayrest woman that was on lyve  
 They shoud bring him to wyve.

These messengers accidentally met at sea with a most splendid ship,

Such ne saw they never none,  
 For it was so gay becone,  
 Every nable with gold ygrave  
 Of pure gold was his klave,  
 Her mast was of ivory,  
 Of samyte her sayle wytyl  
 Her ropes all of whyte sylk,  
 As whyte as ever was ony mylke.  
 The noble ship was without  
 With clothes of gold spread about,  
 And her lost and her wyndlace  
 All of gold depaynted was.

Being courteously invited, they went on board this ship, where they found Carbarrync king of Armenia, with his

(28) Warton's Hist. Poet. vol. 1. p. 123. See a catalogue of twelve ancient metrical romances in Dr. Percy's ingenious essay prefixed to the third volume of his Reliques of Ancient English Poetry

daughter



daughter, a princess of the most exquisite beauty, attended by a numerous retinue of knights and ladies. The king received them with great politeness, and entertained them with a sumptuous feast.

When thei had done their mete  
Of adventures thei bygyn to speke,  
The kyng them told in his realoun,  
How it cam him in a vyfyon,  
In his lond that he came fro  
Into Engelond for to go  
And his daughter that was him dire  
For to winde with him in fire,  
And in this manner we be dyght  
Unto your londe to winde ryght.

The messengers then acquainted the king and the princess with the commission they had received from their master the king of England, and assured them,—

Further we will seek nought,  
To my lord she shall be brought.

Accordingly the king and princess, with the ambassadors, arrive safe in England, the princess is married to Henry II. and the lion-hearted Richard, the hero of the romance, is said to have been the fruit of that marriage (29).

The metrical romances of this period contain descriptions of the marvellous adventures of their knightly heroes, and abound with the Gothic machinery of dragons, giants, elves, fairies, enchanters, &c. But for a more perfect account of these curious performances than can be admitted into general history, the reader is referred to the very instructive and entertaining works quoted below (30).

The same taste for composing, reading, and hearing metrical romances of chivalry prevailed in the fourteenth century, especially in the reign of that gallant magnificent monarch Edward III. About the middle of that century an attempt was made to revive, or at least to imitate the alliterative poetry of the Anglo-Saxons without rhyme, by Robert Langlande, a secular priest of Oxford,

(29) Warton's Hist. Poet. p. 151, &c.

(30) History of English Poetry by Mr. Warburton, vol. 1. §. 5. Dr. Percy's Reliques of Ancient English Poetry, vol. 3.

in his famous allegorical satire against persons of all professions, called *The Vision of Pierce Plowman*. This poem abounds with the boldest personifications, the keenest satire, the most expressive descriptions, and the most singular versification; of all which the four following lines, representing the manner in which hunger treated a reduced spendthrift, must suffice as a specimen :

Hunger in hast thro' hint Wastour by the maw,  
And wrong him so by the wombe that both his eies watered.  
He buffeted the Briton about the chekes  
That he looked lyke a lanterne al his life after (31).

About A. D. 1390 another poem in the same kind of versification was composed, called *Pierce the Plowman's Crede*. It is a severe satire on the four orders of mendicant friars; and the following description of an overgrown Franciscan will give the reader some idea of the language and spirit of the poem :

I fond in a freture a frere on a benche,  
A great chorl and a gryn, growen as a tonne,  
With a face so fat, as a full bleddere  
Blowen Bretful of breth, and as a bagge honged  
On bothen his chekes and his chyn, with a choll lollde  
So great a gos ey, growen all of grece,  
That all wagged his flesh as a quick mire (32).

John Bar-  
bour.

John Barbour, archdeacon of Aberdeen, was one of the best poets of Scotland, or even of Britain, in the fourteenth century. This appears from his metrical history of the life and acts of Robert Bruce, king of Scotland, which is a work of considerable merit for the time in which it was composed. Though the archdeacon styled his poem *a Romans*, he did not mean that it consisted of fabulous adventures; for he intended it to be (as for the most part it is) a true history of the great actions of his hero :

Stories to read are delectable,  
Suppose that they be nought but fable;  
Then should stories that soothfast were,  
If they are said in good manner,  
Have double pleasure in hearing.  
The first pleasure is the carping,

(31) Warton's Hist. Poet. vol. 1. p. 282.

(32) *ibid.* p. 305.

And the other the soothfastness,  
 That shews the thing right as it was,  
 And soothfast things that are likand,  
 To mens hearing are most pleasand;  
 Therefore I would fain set my will,  
 If my wit might suffice theretil,  
 To put in writ a soothfast story,  
 That it last ay forth in memory (33).

The versification of this poem, is, in general, correct and smooth, and the sentiments just and noble. Of this it would be easy to produce many proofs, of which the following high encomium on freedom or liberty is one :

Ah Freedom is a noble thing !  
 Freedom makes man to have liking ;  
 Freedom all solace to man gives ;  
 He lives at ease that freely lives.  
 A noble heart may have none ease,  
 Nor nought else that may it please,  
 If Freedom fail (34).

It is remarkable, that though Barbour was a Scotsman, his language is rather more intelligible to a modern English reader than that of any other poet of the fourteenth century, his great contemporary Chaucer himself not excepted.

At the same time flourished the two princes of ancient English poets, the great improvers of their art, and polishers of the language of their country, Geoffrey Chaucer and John Gower, whose personal histories have been briefly related (35). The shortest analysis that could be given of the numerous works of these two venerable bards would swell this section far beyond its due proportion ; it is therefore hoped that the reader will be satisfied with the following characters of their poetical talents, drawn by the hand of one of the most ingenious and intelligent critics of the present age, who appears to have studied their works with great attention.

“ Enough hath been said to prove, that in elevation  
 “ and elegance, in harmony and perspicuity of versifi-  
 “ cation, Chaucer surpasses his predecessors in an infinite  
 “ proportion : that his genius was universal, and adapted  
 “ to themes of unbounded variety ; that his merit was  
 “ not less in painting familiar manners with humour and

Their characters as poets.

(33) Barbour, p. 1.

(34) Id. p. 8.

(35) See p. 404—408.

“ propriety, than in moving the passions, and in representing the beautiful or the grand objects of nature with grace and sublimity. In a word, that he appeared with all the lustre and dignity of a true poet, in an age which compelled him to struggle with a barbarous language and a national want of taste, and when to write verses at all was considered as a singular qualification (36).

“ If Chaucer had not existed, the compositions of John Gower, the next poet in succession, would alone have been sufficient to rescue the reigns of Edward III. and Richard II. from the imputation of barbarism. His education was liberal and uncircumscribed, his course of reading extensive, and he tempered his severer studies with a knowledge of life. By a critical cultivation of his native language, he endeavoured to reform its irregularities, and to establish an English style (37).”

The history of dramatic poetry affords few authentic materials in the present period, and will be introduced with greater advantage in the fifth volume of this work.

History of  
music.

Music and poetry were more intimately united in the middle ages than they are at present. Many musicians were then poets, and sung verses composed by themselves, and by others of their profession, to the music of their instruments. The secular musicians of those times were called *minstrels*, and formed a very numerous fraternity, possessed many privileges, and held in high estimation by persons of all ranks. They wore a particular dress, and certain ornaments which procured them immediate access to the greatest personages on the most solemn occasions. Of this the following remarkable and well-attested fact is a sufficient proof: “ When Edward II. this year (1316) solemnized the feast of Pentecost, and sat at table in royal state in the great hall of Westminster, attended by the peers of the realm, a certain woman, dressed in the habit of a minstrel, riding on a great horse, trapped in the minstrel fashion, entered the hall, and going round the several tables, acting the part of a minstrel, at length mounted the steps to the

(36) Mr. Warton's History of English Poetry, vol. 1. p. 457.

(37) Id. vol. 2. p. 1.



“ royal table, on which she deposited a letter. Having done this, she turned her horse, and, saluting all the company, she departed.” When the letter was read, it was found to contain some severe animadversions on the king’s conduct, at which he was much offended. The door-keepers being called, and threatened for admitting such a woman, readily replied, “ That it never was the custom of the king’s palace to deny admission to minstrels, especially on such high solemnities and feast days (38).”

Though the harp still continued to be the chief and favourite instrument of the minstrels of this period, there is sufficient evidence that they knew and used a variety of other instruments; of which it may not be improper to name a few. The band of musicians in the household of Edward III. consisted of five trumpeters, one cyteler, five pipers, one tabret, one mabrer, two clarions, one fidler, three wayghts or hautbois (39). In a work translated into English in this period, the following musical instruments are mentioned and described; the organ, the harp, the sawtry, the lyre, the cymbal, the sistrum, the trumpet, the flute, the pipe and tabor, the nakyre, the drum, and several others (40). Among the accomplishments of Chaucer’s parish-clerk, we are told,

In twenty manir couth he trip and daunce,  
After the scole of Oxenford tho -  
And with his legges casten to and fro,  
And playin songes on a small ribible,  
Thereto he song sometime a loud quenible:  
And as well couth he play on a giterne (41).

Chaucer’s miller was also a musician; but on a more vulgar instrument:

A bagge pipe well couth he blow and sowne,  
And therewithal brought he us out of town (42).

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(38) T. Walsing. Hist. Ang. an. 1316. p. 109. Trokelow, edit. a T. Hearne, p. 39. See Dr. Percy’s excellent essay on the ancient English Minstrels, prefixed to his Reliques of Ancient English Poetry, vol. 1.

(39) Sir John Hawkins’s Hist. of Music, vol. 2. p. 107.

(40) Id. *ibid.* p. 281, &c.

(41) Chaucer, p. 26.

(42) Id. p. 5.

In one of Gower's poems are the following verses :

He taught hir, till she was certeyne,  
Of harpe, citole, and of riote,  
With many a tewne and many a note (43).

Matthew Paris mentions musical instruments called *bur-*  
*dons*, which were used in the church of St. Alban's, and  
probably in other churches (44). But it is unnecessary  
to make this catalogue more complete.

Musical  
much  
admired.

To what degree of perfection music was brought by  
the secular minstrels of this period, we have no oppor-  
tunity of judging (45). But we have the fullest proof  
that it was exceedingly pleasing to those who heard it, and  
that it gave great delight to the greatest and best men of  
those times. Robert de Brunne hath preserved the fol-  
lowing anecdote, to this purpose of the learned and pious  
bishop Grossteste or Greathead of Lincoln :

He lovede moche to here the harpe,  
For man's wille it makyth sharpe.  
Next hys chamber, belyde his study,  
Hys harper's chamber was fast the by,  
Many tymes, by nightes and dayes,  
He hadd solace of notes and lays (46).

It is not to be imagined that kings, princes, prelates, and  
barons, would have conspired to load those minstrels with  
honours and rewards, if they had not taken much plea-  
sure in their tuneful strains.

Church  
music.

Sacred music was now cultivated with as much ardour  
by the clergy as secular music by the minstrels. The church  
had been long gradually departing from the primitive  
simplicity of the christian worship; and after the intro-  
duction of organs into churches, so many of the public  
offices were sung to the sound of those noble instruments,  
that the study of music became absolutely necessary to all  
who were to bear any part in the celebration of these  
offices. Music was accordingly taught and studied in all  
college, cathedrals, convents and capital churches; and  
we are assured by a late writer, who hath made the most

(43) *Confessio Amantis*, fol. 178.

(44) *M. Paris, Vita Abbatis*, p. 91.

(45) See Sir John Hawkins, vol. 2. ch. 8.

(46) *Warton Hall. Poet.* vol. 1. p. 61.

laborious researches into the history of music, “ that the “ clergy, in the thirteenth century, were by much the “ most able proficient, as well in instrumental as vocal “ music (47). The truth is, that in great churches some of the public offices were considered as musical exhibitions, and frequented for amusement rather than devotion. To the various diversions of hunting, hawking, feasting, dancing, which a king proposed to his daughter to divert her melancholy, he added :

Then shall ye go to your even song,  
With tenoures and trebles among,  
Your quire nor organ songe shall want,  
With countri note and discaunt,  
The other halfe on orgayns playing,  
With yong chyldren ful fayne syngyng (48).

Chaucer’s nun and friar were both proficient in music ;  
—of the former it is said,

Full wele she song tho the service divine.

Of the latter, that

——— certainly he had a merry note,  
Wele couth he sing and playin on a rote.

Though Guido Aretini’s invention of the musical scale, already mentioned, was very valuable, it was imperfect, because it had no marks to denote the different lengths of sounds (49). This imperfection was afterwards removed by the invention of several characters for representing the various lengths of musical sounds ; and music delineated by these characters, was called *cantus mensurabilis* or *measured song*. But when or by whom this great improvement of delineating measured music was invented, is not agreed ; some ascribing it to Franco, a scholastic of Liege, who flourished towards the end of the eleventh century ; and others to John de Muris, an Englishman, who flourished in the former part of the four-

Musical  
characters,  
or measur-  
ed song  
invented.

(47) Sir John Hawkins, vol. 2. p. 43.

(48) Warton Hist. Poet. vol. 1. p. 179.

(49) See vol. 3.

teenth century (50). This invention, whoever was the author of it, was much admired, many treatises were written to explain, improve, and recommend it, and it certainly contributed not a little to facilitate the communication and preservation of musical knowledge (51).

(50) Sir John Hawkins, vol. 2. p. 15, &c.

(51) Id. *ibid.* p. 154.



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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N .

---

B O O K IV.

C H A P. VI.

*History of Commerce, Coin, and Shipping, in Great Britain, from the death of king John, A. D. 1216, to the accession of Henry IV. A. D. 1399.*

COMMERCE hath contributed so much to the prosperity, power, and wealth of Britain, that it is well intitled to a distinct and conspicuous place in its history, in every period; and as coin and shipping are the two chief instruments of commerce, they also merit a share of our attention.

The internal commerce of Britain, and particularly of England, was unquestionably an object of great importance in the present period; but it doth not seem to have been managed to the best advantage. It is a sufficient proof of this, that the prices of the most valuable and necessary commodities were sometimes more than double in some places to what they were in others. We are informed, for example, by a contemporary author, that A. D. 1258, a quarter of wheat cost twenty shillings at Northampton, when it was sold for eight shillings

Commerce  
merits a  
place in his-  
tory.

Internal  
commerce.

lings and six-pence at Dunstaple (1). This could not have happened, if intelligence had been regular, and commercial intercourse safe and easy.

Loaded  
with several  
imposts.

Internal trade was loaded, at this time, with a great number of petty taxes and impositions, as lastage, paiage, passage, pontage, stallage, and several others whose names are now become unintelligible (2). These taxes, or some of them, were demanded by every town, and by every baron through whose boundaries traders conveyed their goods, and at every place where they exposed them to sale.

Transacted  
in fairs.

The greatest part of the domestic trade of Britain was still transacted in fairs. Some of these fairs were of long duration, frequented by prodigious multitudes of people from different countries, and stored with commodities of all kinds. The fair of St. Giles's hill, near Winchester, continued sixteen days, during which time all trade was prohibited in Winchester, Southampton, and every place within seven miles of the fair, which very much resembled a great city, laid out into many regular streets of tents, inhabited by foreign and domestic traders, who exposed their various commodities to sale (3). To such fairs our kings, prelates, and great barons, sent their agents, and others went in person, to purchase jewels, plate, cloths, furniture, liquors, spices, horses, cattle, corn, and provisions of various kinds, and in a word, every thing they needed, men and women not excepted. For we are assured, by a contemporary writer of undoubted credit, that men and women slaves were publicly sold in the fairs of England, like beasts, near the conclusion of the fourteenth century (4).

Foreign  
trade.

The foreign trade of England, in the present period, was more considerable and extensive than is commonly imagined. This will appear from the following very brief review of the several countries with which the people of England had commercial intercourse, and of the several sovereigns and states with whom the kings of England had commercial treaties. For we may reasonably con-

(1) Annal. Dunstap. an. 1259.

(2) Anderson's Hist. Comm. i. c. 110.

(3) Warton's History of Poetry, vol. 1. p. 279. note 6.

(4) Bartholomæus de Proprietatibus Rerum, apud Sir John Hawkins's History of Music, vol. 2. p. 126.

clude, that a trade existed when it was regulated by treaties.

Genoa, Venice, Pisa, Florence, and some other free cities of Italy, were at this time the chief seats of trade in Europe; and their merchants furnished their own and other countries with the silks, spices, and other precious commodities of the east. There is the fullest evidence, that all these cities now carried on a trade with England, and some of them with Scotland. In a letter from Edward II. dated July 18, 1316, to the state of Genoa, he expostulates with them for permitting some of their citizens to carry on a trade with the traitor Robert Bruce, and the people of Scotland; and in order to engage them to prohibit that trade, he puts them in mind that a very ancient and friendly intercourse had subsisted between their state and his ancestors, kings of England, and their subjects (5). Several commercial treaties were concluded between Edward III. and the Genoese (6). The trade between the Venetians and the English was very considerable, as appears from the following incident. A quarrel happened between the crews of five Venetian ships lying at Southampton, and the people of that town, in which several persons were killed on both sides. Edward II. dreading that this might deter the Venetians from continuing their trade with England, published a manifesto, granting a full pardon to all who had been concerned in that unhappy quarrel, and promising the most perfect security and friendly treatment to all Venetian merchants and mariners who should come into England (7). The commercial compacts of the kings of England with the cities of Florence and Pisa, are sufficient evidences of their mutual trade (8).

The merchants of Majorca, Sicily, and some other islands in the Mediterranean, carried on a trade with England in this period. Edward II. who was a zealous promoter of the commerce of his subjects, made a commercial compact with the ambassadors of Sancho king of Majorca, A. D. 1323 (9).

(5) Rym. Fœd. tom. 3. p. 565.

(6) Id. tom. 5. p. 562, 703.

(7) Id. tom. 3. p. 1211.

(8) Rym. Fœd. tom. 2. p. 953; tom. 5. p. 734.

(9) Id. tom. 3. p. 1222.

Spain.

Several commercial treaties were concluded between the kings of England and Spain at this time; and, like many other treaties, were often violated by mutual captures of each other's ships; which produced mutual complaints and new treaties. In a truce for twenty years, concluded between Edward III. and the plenipotentiaries of the sea-ports of Castile and Biscay, A. D. 1351, the most perfect reciprocal freedom of trade is stipulated; after which the following remarkable article is added:—"Item, "The fishers in the dominions of the king of Castile "and Biscay may come and fish freely and safely in the "harbours of England, and in all other places where "they please, paying the king his duties and customs (10)."

Portugal.

A trade was carried on between England and Portugal in this period, to their mutual satisfaction and advantage, till it was interrupted by the Spaniards or Castilians; who, carrying Portuguese colours, took and plundered several English ships; and the English before they discovered the deceit, made reprisals upon the Portuguese. But as soon as the imposition was found out, the two nations returned to their former friendly intercourse; which was confirmed by a commercial treaty A. D. 1308 (11).

English provinces in France.

The commerce of the English with their own French provinces of Aquitaine and Gascony, was very considerable. Of this it is a sufficient proof, that two hundred merchant-ships from England were sometimes seen together in the harbour of Bourdeaux (12).

France.

The trade between the English and the subjects of the crown of France, in this period, was not so great as might have been expected. This was owing to various causes. Several of the maritime provinces of France were then in the possession of other powers;—the French were not much addicted to commerce;—and the most violent national animosities, and very frequent wars, subsisted between the two nations. Their commercial intercourse was so inconsiderable, that it was never mentioned in any of their treaties. Even in the famous treaty of peace at Bretigny, A. D. 1360, commonly called *the great peace*, there is not so much as one word concerning trade (13). There is, however, sufficient evidence, that some trade

(10) Rym. Fœd. tom. 5. p. 719.

(11) Id. tom. 3. p. 107.

(12) Barne's Hist. Ed. III.

(13) Rym. Fœd. tom. 6. p. 178—196.



was carried on between the French and English in times of peace. Philip king of France complained, in very strong terms, to Edward II. A. D. 1314, that the merchants of England had desisted from frequenting the fairs in his dominions with their wool and other goods, to the great loss of his subjects; and entreated him to persuade, and, if necessary, to compel them to frequent the fairs of France as formerly, promising them all possible security and encouragement (14).

Edward II. at the request of John duke of Brabant, Brabant, Lorrain, and Luxemburg, granted permission to the subjects of that duke to come with their ships and merchandises into England, promising them protection and several privileges (15).

A commercial treaty was concluded between Edward II. and John duke of Bretagne, A. D. 1317, in which each of the contracting parties promised protection and friendly treatment to the mercantile subjects of the other in his dominions (16).

Certain disputes having arisen between the merchants of England and those of Holland, Zealand, and Friseland, William earl of Holland, Zealand, and Hanneau, and lord of Friseland, sent ambassadors into England, A. D. 1310, to settle these disputes: which was accomplished; and a balance of 13 ol. sterling was found due to two companies of English merchants. To pay this balance, the earl of Holland agreed, that certain additional duties should be laid on the ships and goods of his subjects in the ports of England (17).

As the great manufacturing towns of Flanders were the chief markets for English wool, the commercial intercourse between England and these towns was very great, and regulated by many treaties (18). So necessary was this intercourse esteemed by both parties, that it was not interrupted even when the earls of Flanders were at war with the kings of England (19).

The trade between Germany and England, in this period, was chiefly carried on by the famous confederacy of the Hanse towns. This confederacy was very ancient, and the Hanse towns.

(14) Rym. Fœd. tom. 3. p. 482.

(15) Id. tom. 3. p. 647.

(16) Id. tom. 3. p. 656.

(17) Id. tom. 3. p. 650.

(18) Rym. Fœd. tom. 2. p. 32. 536. 740. tom. 3. p. 647.

(19) Id. tom. 5. p. 39.

ent, and by degrees became the greatest maritime power, as well as the greatest trading company, in Europe. Before the end of this period, the Hanseatic confederacy consisted of sixty-four cities and great towns, chiefly situated on the shores of the Baltic, and the banks of the Rhine, and of other navigable rivers of Germany. The trade which these Hanse towns carried on with England was very great, and was chiefly managed by a company settled in London, and invested with various privileges, called,—*the German merchants of the steel-yard* (20).

Prussia.

The knights of the Teutonic order, or, as they called themselves, the Dutch knights of St. Mary's hospital at Jerusalem, having made themselves masters of Prussia, Conradus de Zolner, grand master of that order, concluded a commercial treaty with Richard II. A. D. 1388, in which protection and friendly treatment were stipulated to the English merchants in Prussia, and to the Prussian merchants in England (21).

Sweden.

Before the conclusion of this period Sweden began to make some figure as a commercial state; and the great queen Margaret published, A. D. 1396, some very wise regulations for the encouragement of trade, in which she promised protection to all foreign merchants, particularly to the English, from whose king, Richard II. she had borrowed three large ships of war (22).

Denmark.

The Danes, who had long been the scourge and terror of Europe by their piratical expeditions, had now lost much of their ferocity, as well as of their power, and traded peaceably with other nations, and particularly with the English. This appears by a letter from Eric king of Denmark to Edward I. A. D. 1304, promising protection and friendly treatment to all English merchants in his dominions (23).

Norway.

The most ancient commercial treaty between a king of England and a foreign prince, with which we are acquainted, is that which was concluded between Henry III. in his minority, A. D. 1217, and Haquin king of Norway. In this treaty, which is plain and short,

(20) Anderson Hist. Com. vol. 1. p. 87. 108, 109. 122, 123, 124. 128, 129, &c.

(21) Hakluyt's Voyages, vol. 1. p. 150.

(22) Mourii Historia Danica, lib. 5. Rym. Fœd. tom. 7. p. 744.

(23) Id. tom. 2. p. 949.

agreeable to the manners of the times, these princes promise protection and favour to each other's mercantile subjects in their dominions (24). The commercial intercourse between England and Norway was secured and regulated by a more prolix and particular treaty A. D. 1269 (25).

The people of Blackney in Lincolnshire carried on a considerable trade with Iceland in this period, and on that account they obtained a charter from Edward III. exempting their sailors and ships from being impressed into the king's service (26).

Though the trade of Ireland appears to have been regulated by English laws in the thirteenth century, these laws did not confine it within narrow limits. By the statute of Ireland, A. D. 1288, the king's officers are prohibited from seizing foreign ships, or molesting foreign merchants, in the ports of Ireland: and the Irish are permitted to export their corn, provisions, and other commodities, to any country not at enmity or war with the king of England (27). The freedom of trade to and from Ireland was still further secured by another law A. D. 1360 (28).

That violent national animosity with which the minds of the two British nations began to be inflamed against each other, soon after the unfortunate death of Alexander III. of Scotland, put an end to the friendly intercourse which had subsisted between them in the first part of this period. From that time these two nations hardly exchanged any thing but wounds and injuries for one hundred years. During this hostile period, the three Edwards, successively kings of England, not only prohibited their own subjects from trading with the Scots, but laboured with the greatest earnestness to prevent other nations, and particularly the Flemings, from having any commerce with that people. This they could not accomplish: for the earls of Flanders constantly replied to all the solicitations of these powerful princes,—“ That they did not encourage the Scots in their wars, but that they could not exclude them from their ports, without doing a great injury to their own subjects,

(24) Rym. Fœd. tom. 1. p. 223. (25) Id. tom. 1. p. 358.

(26) Hakluyt, vol. 1. p. 122.

(27) Statutes at Large, vol. 1. p. 120. (28) Id. ibid. p. 304.

“ who depended very much upon trade (29).” This animosity between the two British nations proved as permanent as it was violent ; and no less than a whole century elapsed before any regular commercial intercourse between them was renewed. This was at length restored by the following article, in a truce concluded between the wardens of the marches of both kingdoms A. D. 1386 :—“ Item, it is acordit, that special assurance sal be on the fee, fra the water of Spie to the water of Tamyce, for all marchands of bath the roialms, and here godes (30).”

Imprudent  
commercial  
laws.

The many laws that were made in England, in our present period, for the regulation and encouragement of trade, afford a further proof of its importance. Some of these laws were wise and useful, while others of them were imprudent and hurtful. Of the last sort was the law of Edward II. A. D. 1314, fixing a certain price upon provisions of all kinds, which produced a famine, and was soon repealed (31). Of the same kind was the law of Edward III. A. D. 1363, commanding that no English merchant should deal in any more than one commodity, either by himself or by a factor in any manner ; and requiring every merchant to fix upon the commodity in which he resolved to trade, before the term of Candlemas (32). This absurd law was also soon repealed. It may be questioned whether the remarkable laws and constitutions of the staple, which required all English traders to bring the chief commodities of the kingdom, viz. wool, wool-fells, leather, lead, and tin, to certain towns, to be there sold to merchant strangers, were prudent or useful ; but there can be no doubt, that the law which made it felony for any Englishman, Welshman, or Irishman, to export any of those commodities, was most imprudent and pernicious (33). Of the same pernicious tendency was that law of Edward III. made A. D. 1368, prohibiting English merchants to import wine from Gascony, or to buy such wine till it was landed in England by a merchant-stranger (34). Nothing could be more unjust

(29) Statutes at Large, vol. 2. p. 963. vol. 3. p. 770, &c.

(30) Ryin. Fœd. tom. 7. p. 527.

(31) T. Walling. Hist. Ang. p. 107.

(32) Statutes, 37th Ed. III. p. 314.

(33) Id. 24th Ed. III. ch. 3.

(34) Id. 42d Edward III. ch. 8.



and cruel, as well as impolitic, than the famous law or custom which long prevailed in England, of making every foreign merchant responsible for the debts, and even punishable for the crimes, of any of his countrymen who had become insolvent or had escaped from justice. This most unreasonable law was abrogated by the seventeenth chapter of the statute of the staple, A. D. 1353 (35). Several other laws were made in this period, which discover the anxiety of the kings and parliaments of England about commerce, and at the same time betray their ignorance of its real interests.

But some commercial laws were also made of a more salutary tendency. Such were the several laws for the uniformity of weights and measures (36). But unhappily these laws were not so well contrived and executed as to prove effectual. The navigation acts made in the reign of Richard II. commanding English merchants to freight none but English ships, were evidently wise, and probably contributed to the encrease both of ships and sailors in England in succeeding periods (37). But it seems to have been the chief object of the English legislature in this period, to invite foreign merchants to import the commodities of their respective countries, and export those of England. With this view, many statutes were made, promising protection and friendly treatment, together with various privileges and immunities, to merchants of all countries, upon condition that they paid their debts, and the king's customs punctually (38).

These laws for the encouragement of foreign merchants were not ineffectual. Great numbers of foreign traders, then called *merchant-strangers*, were settled in London and other great towns of England, and formed into companies, some of which were a kind of corporations. As these companies of merchant-strangers almost wholly engrossed the foreign trade, and had a considerable share of the internal commerce of England, a few of the chief of them may be mentioned.

(35) Statutes at large, 27th Ed. III. ch. 17.

(36) Id. p. 187. Henry III. 14th Ed. III. ch. 12. 27th Ed. III. ch. 10. 34th Ed. III. ch. 6. 13th Richard II. ch. 9.

(37) Id. 5th Richard II. ch. 3. 14th Rich. II. ch. 6.

(38) Id. 9th Henry III. ch. 30. 2d Edward I. 13th Ed. I. ch. 1. 14th Ed. III. ch. 2. 25th Ed. III. ch. 2. 2d Rich. II. ch. 7. 5th Rich. II. ch. 1.

Wise  
commer-  
cial laws.

Many for-  
eign mer-  
chant,  
settled in  
England.

Merchants  
of the  
steel-yard.

The German merchants of the steel-yard in London formed the most ancient, and for several centuries, the most flourishing of these foreign companies. This company had been settled in England even before the conquest; but it became much more powerful and opulent in the course of this period, than it had been before (39). This was owing to its connection with the famous confederacy of the Hanse towns, and to the additional privileges conferred upon it by all the English monarchs of those times (40).

Merchants  
of the  
staple.

The company of the merchants of the staple was formed about the beginning of this period; and in the course of it became very considerable for the number of its members and importance of its transactions. The views with which this company was established, and the privileges with which it was invested, are worthy of our attention, as they discover the ideas that were then entertained of trade. It was established to answer these two ends: 1st, to purchase and collect all that could be spared of the chief commodities of the kingdom; which were these five, wool, wool-fells, leather, lead, and tin; and to convey them to certain towns, which were called *staple-towns*, that the king's customs might be collected with ease, and that foreign merchants might know where to find these commodities in sufficient quantities: 2dly, To export these staple-wares to foreign countries, and to import returns for them in goods, coin, or bullion. Natives as well as foreigners might be, and were employed in executing the first of these ends; but no natives of England, Ireland, or Wales, could be concerned, directly or indirectly, in exporting any of these staple-commodities (41). The staple-towns for England, Wales, and Ireland, appointed by the statute, were—Newcastle upon Tyne, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Winchester, Exeter, Bristol, Caermarthen, Dublin, Waterford, Cork, and Drogheda (42). Merchants of the staple were exempted from the jurisdiction of the ordinary magistrates, and subjected only to the authority of a mayor and constables of the staple, chosen

(39) See vol. 2.

(40) Rym. Feod. tom. 2. p. 161. tom. 3. p. 268.

(41) Statute, 27th Ed. III.

(42) *Id.* *ibid.*

annually, in each of these towns, who were to judge in all disputes by the merchant-law, and not by the common law (43). A certain number of correctors were chosen in each staple-town, whose office it was to register all bargains, for which they received a small fee from the parties (44). There were also six mediators, two Germans, two Lombards, and two Englishmen, in every staple-town, who were to determine all disputes referred to them, in the presence of the mayor and constables (45). Many privileges and immunities were conferred by law on this famous company, which formed a kind of distinct commonwealth; and it was made felony to attempt to deprive it of any of these privileges (46).

Another mercantile society, called *the brother-hood of St. Thomas Becket*, flourished in the former part of this period, and was afterwards incorporated with the company of merchant-adventurers, which made a great figure for several centuries (47). Brother-hood of St. Thomas.]

It will be sufficient to name some of the companies of Italian merchants that were settled in England in this period, for managing the trade of the several states and cities to which they belonged. Of these the Lombards were the most numerous and opulent; but, becoming odious for their usurious practices, they were sometimes severely treated (48). The Caurfini of Rome have been already mentioned (49). They seem to have been as great extortioners as the Lombards; for (if we may believe Matthew Paris, a contemporary historian) they sometimes exacted no less than sixty per cent. interest per annum (50). This, together with their ostentatious display of their riches, drew upon them a very severe prosecution, A. D. 1251 (51). We find the society of the Peruchi, and the society of the Scali of Florence, residing in London in the reign of Edward II (52). The companies of the Friscobaldi of Florence, and of the Ballard and Reisardi of Lucca, were also settled in England in the same reign (53). Edward III. acknowledges himself indebted to the

(43) Statute, 27th Ed. III. ch. 6. 8. 21.

(45) Id. ch. 24.

(47) Anderson's History of Commerce, vol. 1. p. 189.

(48) Id. ibid. p. 167. 181.

(50) M. Paris, p. 286.

(52) Madox Firma Burgi, p. 275.

(53) Id. p. 96, 97. Rym. Fœd. tom. 2. p. 705.

(44) Id. ch. 22.

(46) Id. ch. 25.

(49) See vol. 3.

(51) Id. p. 550.

company of the Bardi of Florence twelve thousand marks ; and grants them a present of two thousand pounds for their good services (54). These examples are sufficient to prove, that several companies of Italian merchants were settled in England in this period, for managing the trade of the states, cities, and companies, with which they were connected.

Jews.

The Jews may be reckoned among the strangers settled in England on account of commerce. In the former part of this period they were numerous ; and many of them had acquired great sums of money by trade and usury. But their situation was unhappy, being frequently plundered by the sovereign and universally hated by the people. At length the clamour against them for their extortions, for their debasing and diminishing the coin, and for other crimes, became so vehement, that they were banished out of England, A. D. 1290 (55).

Foreign  
merchants  
hated by the  
people, but  
encouraged  
by our  
kings and  
barons.

It was not agreeable to the English to see so great a share of the commerce of their country in the hands of strangers : on the contrary, these strangers were hated and maltreated by them, and their expulsion most earnestly desired. But they found powerful protectors in our kings, prelates, and barons (to whom they were in many respects useful), who made many laws for their security and encouragement (56). In particular, when the city of London presented a petition to Edward I. A. D. 1289, for the expulsion of all merchant-strangers, that great prince replied,—“ I am of opinion, that merchant-  
“ strangers are useful and beneficial to the great men of  
“ the kingdom ; and therefore I will not expel them (57).” One of our ancient historians of the best credit expresses his abhorrence of the jealousy of the Londoners, and their cruelty to foreign merchants ; of which he gives the following example. A very rich merchant of Genoa presented a petition to Richard II. A. D. 1379, for permission to deposit his goods in the castle of Southampton, promising to bring so great a share of the trade of the East into England, that the price of a pound of pepper

(54) Rym. Fæd. tom. 4. p. 387.

(55) Anderson, vol. 1. p. 133.

(56) Statutes, 9th Henry III. ch. 30. 2d Ed. I. 13th Ed. I. ch. 1. 14th Ed. III. ch. 2. 25th Ed. III. ch. 2. 2d Rich. II. ch. 7. 5th Rich. II. ch. 1.

(57) Anderson, vol. 1. p. 131.



would be reduced to four pence, and the prices of all other spices in the same proportion. But the Londoners (says the historian), enemies to the prosperity of their country, hired assassins, who murdered the merchant in the street. "After this (exclaims he) what stranger will trust his person among a people so faithless and so cruel? Who will not dread our treachery, and abhor our name (58)?"

Foreign trade was frequently interrupted in this period by the ferocious piratical disposition of the mariners of all nations, who were too apt, when an opportunity offered, to plunder friends and foes without distinction. We have a lively picture of this, and of its fatal consequences, in the following account of the conduct of the seamen of the Cinque-ports, A. D. 1264, by a contemporary historian. "The mariners of the Cinque-ports, having provided a powerful fleet, scoured the seas, and greatly interrupted trade; seizing every ship they met, and barbarously butchering their crews, whether they were foreigners or their own countrymen; they threw their bodies into the sea, and applied the ships and cargoes to their own use. More cruel than Scylla or Charybdis, they murdered all who brought necessary commodities into their country, without distinction. By this means all kinds of goods, in which England had formerly abounded, became so scarce and dear, that a quantity of wine or wax which had been usually sold for forty shillings, now cost eight or ten marks, or even more; a pound of pepper, which used to be sold for sixpence, was now sold for three shillings; in a word, salt, iron, steel, cloths, and goods of all kinds, became so scarce, that the people suffered much want, and the merchants were reduced to beggary (59)." But these destructive violences were never carried to so high a pitch, but when the affairs of the public were in great confusion, as they were A. D. 1264.

The chief seats of trade in England were the same in this as in the preceding period, with a few additions. The burgesses of Newcastle upon Tyne, having obtained liberty of digging coals in the Castle-muir from Henry III.

Piracy interrupted trade.

The chief seats nearly the same as in the former period.

(58) Tho. Walsing. Hist. Ang. p. 227.

(59) Chronicon Tho. Wykes, ad ann. 1264.

A. D. 1234, and afterwards the property of that muir from Edward III. A. D. 1357, they soon after began to export coals to London, and other places, in considerable quantities (60). Encouraged and enriched by that commerce, the people of Newcastle engaged in foreign trade; and we find a ship of theirs of the burden of two hundred tons, and valued at 400*l.* equal in weight of silver to 1000*l.* of our money, exclusive of her cargo, was seized in the Baltic, on her voyage to Prussia, A. D. 1394 (61). Though Kingston upon Hull was not founded till A. D. 1296, it increased so fast, that in less than one century it had become a large, rich, and populous town, engaged in foreign trade. In the treaty between Henry IV. and the Hanse-towns, A. D. 1400, it appears that the mariners of those towns had plundered four ships belonging to Hull, near the coast of Norway, some years before that time (62).

Exports and imports nearly the same as in the former period.

The exports and imports of England consisted nearly of the same commodities in this as in the preceding period; and therefore need not be here enumerated (63). I have not met with any evidence, that slaves formed an article of exportation from England in the present period. In the annals of the priory of Dunstable, we find the following short entry, A. D. 1283:—"This year, in the month of July, we sold our slave William Pyke, and received one mark from the buyer (64)." But for what purpose this unhappy man was purchased, we are not informed. If one mark was the whole of his price, men must have been cheaper than horses, or Pyke must have been a worthless fellow.

Balance of trade in favour of England.

That the balance of trade was very greatly in favour of England, in this period, is evident to a demonstration. If this had not been the case, it would have been impossible for a country, without gold or silver mines of any great value, to have supplied those prodigious incessant drains of treasure to the court of Rome, and to foreign ecclesiastics, who possessed many of the best benefices of the kingdom; and those still greater drains occasioned by the frequent and ruinous expeditions of her princes and nobles

(60) Anderſon's Hiſt. Com. vol. 1. p. 111. 188. 207.

(61) Hiſkluyt's Voyages, vol. 1. p. 166.

(62) Id. ibid. p. 167.

(63) See vol. 3.

(64) Annal. de Dunſtap. ann. 1283.

to the continent ; and by various other means. Henry III. (for example) sent out of the kingdom in a few years, in presents to his foreign favourites, and in prosecuting the vain project of making his second son prince Edmund king of Sicily, the enormous sum of 950,000 marks, containing as much silver as 1,900,000*l.* and of as much value as 5,000,000*l.* of our money. This account the historian, who was secretary to the king, received from a clergyman of credit, who had examined all the rolls, and carefully calculated the sums. About two years after (A. D. 1257) that king's brother, Richard earl of Cornwall, carried out of England at once 700,000*l.* containing rather more silver than 2,000,000*l.* of our money ; all which, together with the annual income of his great estate, for several years, he spent in Germany, to no effect, in attempting to support his election to be king of the Romans (65). The annual revenues of the Italian clergy in England, the greatest part of which was carried out of the kingdom, were found, A. D. 1245, to amount to 60,000 marks, or 120,000*l.* of our money (66). From these few examples we may be convinced that the sums carried out of England in the course of this period were immensely great ; and yet the balance of trade in favour of England supplied these sums, and also gradually enriched the kingdom.

The greatness of this balance seems to have been owing to the following circumstance. The imports into Eng- Causes of  
this.  
land, in this period, consisted almost wholly of silks, fine cloths, wines, spices, and a few other articles of luxury, which were used only by the royal family, and a small number of rich prelates and great barons ; and therefore, though the prices of these commodities were high, the quantity used being trifling, the whole amount was inconsiderable. It appears upon record, that the value of all the goods imported into England A. D. 1354, was no more than 38,770*l.* 3*s.* 6*d.* (67). The nominal pound at that time containing only 4*s.* 6*d.* of our money, this sum contained only as much silver as is now coined into 90,355*l.* 5*s.* If we suppose that any given quantity of silver would then have purchased five times as much of any commodity as the same quantity will do at present, it will follow, that

(65) M. Paris Hist. Ang. p. 639.

(66) Id. p. 451.

(67) Anderson Hist. Com. vol. 1. A. D. 1354.

as many goods of all kinds as were imported into England A. D. 1354 might now be imported for 451,776l. 5s.—a very contemptible sum indeed when compared with the value of our present imports. But, on the other hand, the exports from England consisted of commodities of general use, as wool, wool-fells, leather, lead, tin, corn, butter, cheese, coarse cloths, &c. which were exported in great quantities to several countries, where they found a ready market. Accordingly, it appears from the same record, that in the same year 1354 the value of the four articles of wool, wool-fells, leather, and coarse cloths, exported, amounted to no less than 294,184l. containing as much silver as 683,977l. and of as great efficacy as 3,419,885l. of our money. This alone, set in opposition to the whole imports of that year, yielded a balance in favour of England of 255,214l. containing as much silver as 593,370l. and of as great efficacy as 2,966,850l. of our money at present (68): a very great balance, though we have no account of the lead, tin, corn, and other articles exported.

Most effect-  
tual means  
of turning  
the balance  
of trade in  
our favour.

From the above state of the trade of England in this period it plainly appears, that though it was trifling in comparison to what it is at present; yet in proportion to its extent, it was unspeakably more advantageous to the nation. From hence also it is evident, that the most effectual means which any people can employ for turning the balance of trade in their own favour are these two,—to be sparing in the use of imported luxuries,—and to be diligent in preparing articles of general utility for exportations.

Bills of  
exchange.

That most excellent device for the payment of accounts between merchants residing in different countries, by bills of exchange, without the actual transmission of cash, was not unknown in England in the present period. We find Peter Egiblanke bishop of Hereford employing this contrivance, A. D. 1255, to a very pernicious purpose. Henry III. had contracted an immense debt to the pope in prosecuting the absurd project of making his son Edmund king of Sicily; and his holiness, who was much indebted to certain Italian merchants, who had



advanced money for carrying on the war, had become importunate for payment. In this extremity the bishop of Hereford suggested to Henry the following curious scheme for the payment of all his debts without money. — That the Italian merchants to whom the pope was indebted should draw bills in favour of their creditors in England, on all the rich bishops, abbots, and priors, in that kingdom, for certain large sums of money alleged to have been lent by them to these prelates for the use of their respective churches: that these bills should all be sent to the pope's legate in England, who should compel the prelates to accept and pay them, by threats of ecclesiastical censures. This iniquitous scheme was adopted by the king; and the bishop was sent to Rome to procure the pope's consent and concurrence. These were easily procured: the bills, to the amount of 150,540 marks, were drawn and presented; and the prelates, after many remonstrances, were compelled to pay them, by threats of excommunication (69). The answer of the pope to the bishop, when he had explained his scheme to him, affords a curious specimen of the morality of the infallible head of the church in the thirteenth century: "Go (said his holiness), my dearest friend and brother, and do what seemeth best to your own industry, which I very much commend (70)." As mercantile transactions increased, the use of bills of exchange became more common; and a law was made A. D. 1381, encouraging, or rather commanding the use of them, in making remittances to foreign countries (71).

Money or coins are of so much use in commerce, that Money. the state of them must be briefly delineated in every period of this work. As none of our writers who flourished in the thirteenth or fourteenth century make mention of living money, we may conclude, that coins made of the precious metals were now become the only representatives of all commodities. It is only money of that kind therefore with which we are here concerned.

The coins of both the British kingdoms continued in Changes in the same state in which they had been in the former the coin.

(69) M. Paris Hist. Angl. p. 612.

(70) Id. *ibid.*

(71) Statutes, A. D. 1381. chap. 2.

period, during the whole of the thirteenth, and some part of the fourteenth century (72). Edward III. made a very material alteration in the state of the coin of England A. D. 1346, by commanding 22s. 6d. to be coined out of the tower-pound of silver. By this regulation the weight of the silver penny, which was still the largest real coin, was reduced from  $22\frac{1}{2}$  to 20 Troy grains, and the pound to 51s. 8d. of our money (73). The same prince made a still greater change A. D. 1351, by coining groats and half-groats, the groats weighing 72 Troy grains, and 60 of these groats making a nominal pound sterling, containing only as much silver as 46s. 6d. of our money (74). This second diminution of the weight of the coin is said to have been made by the persuasion of William Edington bishop of Winchester, and treasurer of England (75).

**Gold coin.** The coinage of gold was one of the greatest alterations made by Edward III. in the state of the coin. By the advice of his council, A. D. 1344. January 20, he commanded florins of gold to be coined, and to pass for 6s. half florins for 3s. and quarter florins for 1s. 6d. of the money of that time (76). But Edward, aiming at too much profit by this coinage, had set too high a value upon these pieces, which prevented their currency. To remedy this, he coined that same year gold nobles, half nobles, and farthing nobles, the noble to pass for 6s. 8d. the half noble for 3s. 4d. and the farthing noble for 1s. 8d. which he made known by a proclamation, dated 9th July A. D. 1344, commanding those coins to be taken in payment at these rates (77). By another proclamation, dated August 20, the same year, he commanded all the gold of the first coinage to be brought to the mint, and sold for its real value (78). In the first coinage a pound of gold was rated at 15 pounds of silver, in the second only at 13l. 3s. 4d. (79). This coin was called a *noble*, either on account of its value and beauty, being the largest and fairest then known, or on account of the honourable occa-

(72) See vol. 3. chap. 6.

(73) Martin Folkes on English Silver Coins, p. 11.

(74) Ryin. Fed. tom. 5. p. 708.

(75) Stow Annal. p. 251. T. Walsing. p. 169.

(76) Ryin. Fed. tom. 5. p. 403.

(77) Id. ibid. p. 416.

(78) Id. ibid. p. 414.

(79) Stephen Martin Leake's History of English Money.

sion on which it was struck, the great naval victory over the French, obtained by Edward in person, A. D. 1340: for on that coin Edward appears completely armed, in a ship, with a naked sword in his right hand. These nobles, half and quarter nobles, continued to be the chief gold coins of England to the end of this period.

The method of coining money in this period was very simple. The metal was cast from the melting-pot into sheets or long thin bars; these were cut with sheers into square pieces of exact weights, according to the species of coin intended; these pieces were formed into a round shape by the hammer, after which those of silver were blanchéd or made white by boiling; and, last of all, they were stamped or impressed by a hammer, which finished the operation (80). Method of coining.

It was not so easy a matter, in the times we are now considering, to exchange gold and silver coins for each other as it is at present; and therefore Edward III. and several of his successors, took this office into their own hands, to prevent private extortion, as well as for their own advantage: and they performed it, by appointing certain persons, furnished with a competent quantity of gold and silver coins, in London and other towns, to be the only exchangers of money, at the following rate. When these royal exchangers gave silver coins for a parcel of gold nobles, for example, they gave one silver penny less for each noble than its current value; and when they gave gold nobles for silver coins, they took one penny more, or 6s. 9d. for each noble; by which in every transaction they made a profit of 1 1-5th per cent (81). These royal exchangers had also the exclusive privilege of giving the current coins of the kingdom in exchange for foreign coins, to accommodate merchant-strangers, and of purchasing light money for the use of the mint. As several laws were made against exporting English coins (82), the king's exchangers at the several sea-ports furnished merchants and others who were going beyond seas, with the coins of the countries to which they were going, in exchange for English money, according to a table which hung up in their offices for pub-

(80) Stephen Martin Leake's History of English Money, p. 76.

(81) Rym. Fœd. tom. 5. p. 416.

(82) Statutes, 9th Ed. III. chap. 1, 9, 10, 11.

lic inspection (83). By these various operations they made considerable profits, of which the king had a certain share. The house in which the royal exchanger of any town kept his office was called *the Exchange*; from which, it is probable, the public structures where merchants meet for transacting business derive their name.

Clipping,  
&c. pre-  
vailed.

The crimes of clipping and counterfeiting the current coin of England, and of importing base money of various denominations, as pollards, crokards, mitres, leonines, rosaries, staldings, steepings, and eagles, prevailed very much in the present period, though several severe laws were made against them (84). The Jews are said to have been remarkably guilty of these pernicious practices; and their guilt must have been very great indeed, if it was equal to their punishment: for no fewer than 280 of them were put to death for these crimes, in one year (1279), in London alone, besides many others in other parts of England (85). At the same time, all the goldsmiths in the kingdom were seized and thrown into prison, on suspicion of being guilty of the same crime (86).

State of the  
coin of Scot-  
land.

Though the difference in weight between a real pound of silver and a nominal pound in coin seems to have commenced in both the British kingdoms nearly about the same time, yet that difference soon became considerably greater in Scotland than in England. The following proclamation, issued by Edward III. A. D. 1355, is an unquestionable evidence of both these facts: “The ancient money of Scotland was, till these times, of the same weight and alloy as our sterling money of England; and therefore did always pass current in England. But because new money of the same form and denomination with the old, but of inferior weight and fineness, hath been lately coined in Scotland, and is current in our kingdom, it is necessary to prevent this, which would be a manifest loss to our people. We command, therefore, that proclamation be made, in all cities,

(83) Rym. Fœd. tom. 4. p. 500. Statutes, 9th Ed. III. chap. 7.

(84) Statutes, 20th Ed. I. ann. 1292; 27th Ed. I. ann. 1299; 9th Ed. III. chap. 2.

(85) Anderson's Hist. Com. vol. 1. p. 129. T. Walsing. Hist. Angl. p. 48. Hemingford. Hist. Ed. I. p. 6.

(86) T. Wykes Chron. ann. 1279.



“ towns, &c. That none of our subjects take that new  
 “ money of Scotland in payment, except for its real va-  
 “ lue as bullion to be brought to our mint; and that the  
 “ old money shall have the same currency as usual (87).”  
 How much this new money of Scotland differed from  
 English money, we are not informed; but it is probable  
 the difference was not very perceptible, since a royal pro-  
 clamnation was necessary to put the people upon their guard  
 against taking it in payment. But the difference increased  
 so fast, that before the end of the century, the coins of  
 Scotland were not above half the value of those of Eng-  
 land of the same denomination. This appears from the  
 12th chapter of the statutes made at Westminster, A. D.  
 1390,—“ The groat of Scotland shall pass only for two  
 “ pence in England; the half-groat for one penny, the  
 “ penny for a half-penny, and the half-penny for a far-  
 “ thing (88).

The high premiums that were usually paid for the use of money borrowed, must have been a great obstruction to trade in this period. The church of Rome still continued to prohibit lending money on interest, declaring it to be usurious and heretical. Though this could not prevent such transactions, it prevented their being regulated by law; and therefore the rate of interest varied according to the necessities of the borrower, the avarice of the lender, and many other circumstances. It hath been already observed, that the Caursini, who were agents for the pope in England, sometimes extorted no less than sixty per cent. per annum. For this, it is true, they were excommunicated by Roger bishop of London, A. D. 1235; but they were protected by the pope, who, says the historian, was be suspected of being their accomplice; and none, we may presume, who had not so powerful a protector, would have dared to be guilty of such intolerable extortion (89). In general, therefore, we may be certain, that the premium demanded for the use of money was commonly much lower, most probably about twenty per cent. per annum, or under (90). In the marriage-contrast of Margaret daughter of Alexander III. king of Scotland, with Eric king of Norway, A. D. 1281, it is stipulated, that

High inter-  
rest of mo-  
ney.

(87) Rym. Fœd. tom. 5. p. 813.

(88) Statutes, 14th Richard II. ch. 12.

(89) M. Paris, p. 236.

(90) Anderson's Hist. Com. v. 1. p. 142.

if any part of the princess's fortune (which was 14,000 marks) was not paid at the terms agreed upon, the king of Norway should be immediately put in possession of estates in Scotland, as a security for the money, and for payment of the interest; and that an estate given him in security for a thousand marks should yield at least one hundred marks of yearly rent, being an interest of ten per cent. per annum (91). But as this was an amicable transaction between two princes, contracting a near alliance, and the security was a real estate, it is probable, that the interest was much lower than the ordinary rate exacted by private money-lenders on personal security. It may be observed, in passing, that the greatness of the portion of this princess is one proof, amongst many others, that the wealth of Scotland bore a much greater proportion to that of England before the death of Alexander III. than ever it did before that fatal event.

Compara-  
tive value  
of money,  
and expence  
of living.

So much hath been said in the 6th chapter of the 3d book of this work, concerning the comparative value of money, and expence of living, in the eleventh and twelfth centuries; and in the present times, that it will not be necessary to say much on these subjects here, as no very remarkable change in these particulars seems to have taken place in the present period (92). To near the middle of the fourteenth century, a nominal pound sterling in coin was a real pound of silver, or about three of our nominal pounds; and the same quantity of silver, as an ounce, or a pound, would have then purchased as many of the necessaries of life, as five ounces, or five pounds, will do at present. That the above computation is not far from the truth, might be proved from many facts mentioned by our ancient historians; but the two following, it is hoped, will be thought sufficient. One of these historians speaking of sir William de Lisle, the tyrannical sheriff of Northumberland, A. D. 1256, says,—“He was rich, having an estate which was reckoned “worth one hundred and fifty pounds a-year (93).” According to the above computation, sir William was as rich as a gentleman is at present who hath a clear estate of 2250l. a year; who may indeed be called rich, though

(91) Rymer. Fœd. tom. 2. p. 1380.

(92) See vol. 3. ch. 6.

(93) M. Paris, p. 627.

many private gentlemen are much richer. Another historian, who flourished in the fourteenth century, acquaints us, that the ordinary salaries of curates, before the great pestilence, A. D. 1348, were four or five marks a-year; equivalent, according to the above supposition, to forty or fifty pounds at present, which may be called the ordinary salaries of curates in our times (94). It is true, indeed, that in the year after the pestilence curates demanded ten or twelve pounds a-year: but these demands were owing to the great scarcity of clergymen; they were thought exorbitant, and were restrained by law (95).

Sailors and ships being the great instruments of foreign Sailors. trade, the prosperity of every commercial country, especially of an island, must depend very much on the multitude and dexterity of its sailors, and the number and goodness of its ships. The English sailors preserved, through the whole of this period, that character of superior skill in navigating their ships, and superior courage in combating their enemies, which they had long possessed, and which they still possess. This is evident from their exploits, and from the testimony of contemporary historians. The victory near Sluys, A. D. 1340, was certainly one of the greatest ever obtained by the English over the French at sea; and that victory is said to have been chiefly owing to the superior dexterity of the English sailors in the management of their ships (96). The monk of Malmibury, who wrote the history of Edward II. in whose reign he flourished, gives the following character of English sailors, A. D. 1315;—"English ships visit every coast; and English sailors excel all others, both in the arts of navigation, and in fighting (97)."

It is difficult or rather impossible to discover the exact state of the shipping of England in this period, at this distance of time, though we have some reason to think that it did not increase either in the size or number of ships, if it did not decrease. We learn from an authentic record, that the largest ship of war in England, A. D. 1304, had only a crew of forty men; and in the fleet of Edward III. at the siege of Calais, A. D. 1346, the complement of

The shipping of England did not increase but rather decreased, in this period.

(94) H. Knyghton, col. 2600.

(95) Id. ibid.

(96) R. de Avesbury, p. 54—56. T. Walsing. p. 148. Campbell's Lives of the Admirals, v. 1. p. 197.

(97) Mon. Malm. Vita Ed. II. an. 1315. p. 157.

each ship, on an average, was only twenty men (98). Some of the kings of England had very large fleets under their command in this period, which might make us imagine that ships were then very numerous. Edward III. at the above siege had a fleet of seven hundred English, and thirty eight foreign ships; and the same prince, when he invaded France A. D. 1359, is said to have had no fewer than eleven hundred ships (99). But these great fleets consisted of all the ships in all the ports of England, which, on such emergencies, were impressed, together with their crews, into the king's service. It appears from many of the press-warrants of those times, that the persons to whom the execution of them was committed, had authority, not only to seize all ships and vessels, great and small, in the several ports, but all that came in from sea during the continuance of their commission; to cause those that were loaded to be immediately unloaded, though they had not reached their intended port, and to conduct the whole with all their crews, to a certain place, for the king's service (100). Besides all this, Edward III. called a kind of naval parliament, A. D. 1344, commanding each sea-port to send a certain number of commissioners to London, to give him an exact account of the state of shipping in his kingdom (101). From this naval parliament, as well as from other evidences, it appears, that Yarmouth abounded more in shipping, at that time, than any other port in England, London perhaps excepted. For London and Yarmouth were required to send each four commissioners, while Bristol, Newcastle, and other great trading towns, were required to send only two, and many others only one (102). When all these circumstances are considered, it seems not improbable, that our kings had sometimes one half at least of all the ships of England in their service; particularly Edward III. when he invaded France, A. D. 1359. But the complaints of the commons in parliament on this head, afford the clearest proof of the decrease of shipping; and it was to remedy this great evil,

(98) Rym. Fœd. tom. 2. p. 943. Hakluyt's Voyages, p. 118.

(99) Id. p. 121. Waiting. Ypodigma Neustria, p. 523.

(100) Rym. Fœd. tom. 5. p. 3. 6. 12. 23. 24. 243. 300. 304; tom. 6. p. 167. 169. &c.

(101) Id. tom. 5. p. 4, 5, 6.

(102) Id. ibid.



that the first navigation-act was made, A. D. 1381, as appears from the preamble (103). By that act all English merchants were commanded to freight none but English ships, under the penalty of forfeiting all the goods they embarked in foreign bottoms. But it was soon found that this act could not be executed without interrupting and diminishing the trade of native English merchants, and therefore permission was granted, by another act, A. D. 1382, to freight foreign vessels when they could not procure English ships (104).

It is not difficult to discover the causes which pre-Causes of thevented the increase, and even occasioned a diminution, decrease ofof the shipping of England in this period. The chief shipping. cause of this unquestionably was, the great encouragement given to *merchant-strangers*, who carried on a great part of the trade in foreign bottoms. The frequent seizure of English sailors and ships by government, was also a disadvantage, from which foreigners were exempted by the most solemn stipulations (105). Upon the whole, the abounding of merchant-strangers was more convenient to our kings (to whom they advanced great sums of money) than beneficial to their subjects; and the violent clamour of the English against them was not so unreasonable as it hath been represented by some of the historians of those times.

The sailors of this period enjoyed a great advantage Mariner's above their predecessors in the use of the mariner's com- compass.pass, which encouraged them to venture more boldly on the open sea, and to steer a more direct course to their intended port. The principles of that instrument were not quite unknown before this time, and some faint attempts had even been made to apply them to navigation; but a convenient method of doing it was not then discovered (106). The honour of inventing the mariner's compass hath been given to several different persons; but upon the whole it seems to be most probable, that the world is indebted for this most useful invention to Flavio de Gioca of Amalphi, who, about A. D. 1302, constructed a compass with only eight points, which was

(103) Statutes at Large, an. 1381.

(104) Id. A. D. 1382. ch. 8.

(105) Anonymi Historia Edwardi III. an. 1337.

(106) See vol. 3.

afterwards improved at different times and in different countries (107).

Few discoveries of unknown countries made in this period.

But notwithstanding this advantage, few discoveries of unknown countries were made in this period, either by British or foreign failors. Nicholas de Lenna, a Carmelite friar, is said to have made five voyages for discovery towards the north pole, in the reign of Edward III. and to have presented a description of the countries which he had discovered to that king; and it is also reported that one Macham an Englishman discovered the island of Madeira, A. D. 1344 (1308). But it must be confessed, that the relations we have of these discoveries are very imperfect, and in some particulars not very probable. Pope Clement VI. November 15th, A. D. 1344, created Lewis of Spain king of the Fortunate Islands, supposed to be the Canaries, after his holiness had preached a sermon to prove, that he had the sole right of creating kings and bestowing kingdoms (109). But so imperfect were the hints which had been received of these islands, that this new monarch was never able to discover in what part of the world his dominions were situated. The Canaries, however, were actually discovered A. D. 1395, by some Spanish and French adventurers; and this seems to have been the furthest point towards the south-west to which any Europeans had proceeded by sea at the end of the fourteenth century (110).

(107) Anderson's Hist. Com. v. 1. p. 144.

(108) Campbell's Lives of the Admirals, vol. 1. p. 252. Hakluyt, vol. 1. p. 121, 122. v. 2. part 2. p. 1.

(109) W. Hemingford, vol. 2. p. 376.

(110) Hakluyt, v. 2. part 2. p. 1.

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T H E  
H I S T O R Y  
O F  
G R E A T B R I T A I N .

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B O O K IV.

C H A P. VII.

*History of the Manners, Virtues, Vices, remarkable Customs, Language, Dress, Diet, and Diversions of the people of Great Britain, from the death of king John, A. D. 1216, to the accession of Henry IV. A. D. 1399.*

THE Romans, Saxons, Danes, and Normans, by their conquests and settlements in this island, made great and conspicuous changes in the manners, customs, &c. of the inhabitants of those parts of it in which they settled. These changes have been described in their proper places in the preceding volumes of this work. But as no foreign nations made any conquests or settlements in any part of Britain in the present period, the alterations in manners, &c. which then took place, were only such as were naturally brought about by the instability of the humours, fashions, circumstances, and affairs of mankind, and by the gradual progress of society. These alterations, however, upon an attentive examination,

Changes of manners, &c. not so great in this as in former periods.

will

will be found considerable and worthy of a brief delineation.

Sudden  
changes in  
manners,  
&c.

The manners and characters of nations sometimes change very suddenly with their circumstances. Of this we meet with several striking examples in the history of England in the present period. The national character and manners of the English during the civil wars and great relaxation of the reins of government in the reign of Henry III. are thus described by a contemporary historian, A. D. 1267: "In these five years past there have been so many battles, both by land and sea, so much slaughter and destruction of the people of England, so many devastations, plunderings, robberies, thefts, sacrileges, perjuries, treacheries, and treasons, that the nation hath lost all sense of distinction between right and wrong, virtue and vice. In a word, such hath been the insignificance of the laws, through the weakness of the king, that every one did whatever seemed good in his own eyes (1)." No part of the national character of the English is more unquestionable than their valour; and yet (if we may believe the best of our ancient historians) they were so much dispirited by their great defeat at Bannockburn, A. D. 1314, that they lost all their wonted courage for a season, and degenerated into dastardly poltroons. The consternation of the English, on that occasion, is painted by one of these historians in the following mournful strain: "O day of vengeance and misfortune, odious accursed day, no longer to be computed in the circle of the year, which stained the glory of the English, spoiled us, and enriched the Scots to the value of two hundred thousand pounds! How many illustrious barons and valiant youths, how many noble horses and beautiful arms, how many precious vestments and golden vessels, were carried off in one cruel day (2)?" "At that time (says another of these historians) many of the English fled to the Scots, and joined with them in their invasion of Northumberland, plundering towns and castles, desolating the whole country with fire and sword, and carrying away the wretched inhabitants into captivity, with their horses, herds, and flocks,

(1) Chron. T. Wikes, an. 1267. p. 33.

(2) Monarch. Majest. Vita Edwardi II.

" without



“ without meeting with any resistance. For the English at that time had so entirely fallen from their ancient valour, that a hundred of them used to fly at the approach of two or three Scotch men (3).” But this eclipse of the native bravery of the English was not of long duration, and nothing could be more unreasonable, than to form our opinion of the national character of any people from its appearance in a season of anarchy or despair.

Neither would it be safe to form our notions of the national character of the people of England in this period, from the pictures which are drawn of it by some of the monkish historians of those times. The monk of Malmshbury, in particular, who wrote the life of Edward II. paints his countrymen and contemporaries in the blackest colours. “ What advantage (says he) do we reap from all our modern pride and insolence? In our days the lowest poorest wretch, who is not worth a halfpenny, despises his superiors, and is not afraid to return them curse for curse. But this, you say, is owing to their rusticity. Let us see then the behaviour of those who think themselves polite and learned. Where do you meet with more abuse and insolence than at court? There every one, swelling with pride and rancour, scorns to cast a look on his inferiors, disdains his equals, and proudly rivals his superiors. The squire endeavours to outshine the knight, the knight the baron, the baron the earl, the earl the king, in dress and magnificence. Their estates being insufficient to support this extravagance, they have recourse to the most oppressive arts, plundering their neighbours and stripping their dependents almost naked, without sparing even the priests of God.—I may be censured for my too great boldness, if I give an ill character of my own countrymen and kindred; but if I may be permitted to speak the truth, the English exceed all other nations in the three vices of pride, perjury, and dishonesty. You will find great numbers of this nation in all the countries washed by the Greek sea; and it is commonly reported that they are infamous over all these countries for their deceitful dealings (4).” But we

National characters not to be taken from some monkish historians.

(3) T. Walsing. p. 106.

(4) Monach. Malmsh. an. 1315. p. 153. 160.

must remember, that this picture was drawn by a peevish monk, in very unhappy times, when faction raged with the greatest fury, both in the court and country.

Nor from  
enemies.

Nor would it be proper to take the national character of the people of Britain, in this period, from their contemporaries on the continent. The French were enemies to the English; and the Italians of those times affected to consider all other nations as barbarians. Even the illustrious Petrarch, the politest scholar, as well as the greatest poet, of the fourteenth century, could not divest himself of this prejudice. "In my youth (says he), the inhabitants of Britain, whom they call English, were the most cowardly of all the barbarians, inferior even to the vile Scots (5)." Sir John Froissart, famous for his frankness and sincerity, who was well acquainted with the English, doth justice to their valour, on many occasions; but blames them for their insolent and disgusting behaviour to the people of other nations. "When I was at Bourdeaux, a little before the departure of the prince of Wales on his expedition into Spain, I observed, that the English were so proud and haughty, that they could not behave to the people of other nations with any appearance of civility. Even the gentlemen of Gascony and Aquitaine, who had lost their estates in fighting for them, could not obtain the smallest place of profit from them, being constantly told, that they were unfit for, and unworthy of preferment. By this treatment they lost the love, and incurred the hatred, of these gentlemen; which they discovered as soon as an opportunity offered. In a word, the king of France gained these gentlemen, and their countries, by his liberality, and condescension, and the English lost them by their haughtiness (6)." This character was written by a Frenchman, not long after the glorious victory of Poitiers; on which we need not wonder that the English were elated. But though some degree of haughtiness in such circumstances may be excusable, it is always offensive and imprudent. Sir John Froissart's character of the Scots is still more unfavourable. When John de Vienne, admiral of

(5) Petrarchi Opera, Epist. famil. l. 22. Ep. 3. *Memoires pour la Vie de Petrarque*, tom. 3. p. 553.

(6) Froissart, tom. 5. ch. 20. p. 75.

France, conducted a gallant troop of one thousand knights and esquires, the very flower of chivalry, into Scotland, A. D. 1385, to excite and assist the Scots to invade England, the noblemen and gentlemen of that troop complained bitterly of the poverty of the country, and of the rudeness and incivility of the people. "The Scots" (says he), being naturally fierce and unpolished, hated "and despised the French, and gave them the most contemptuous names they could invent. For in Scotland "there is little or no politeness, the people in general "being a kind of savages, envying the riches of others, "and tenacious of their own possessions (7)." But it plainly appears, that the Scots at that time did not wish to renew the war with England, in the course of which their country had been almost ruined and depopulated. This made these French auxiliaries very unwelcome guests, and their own insolent rapacious behaviour did the rest. We have even reason to suspect, that there never was any cordial friendship between the Scots and French; and that their common dread of the English was the only cement of their union.

Religion, and the characters of its ministers, have a considerable influence on the manners of mankind in all ages. Their influence in this period was most pernicious. Nothing could be more corrupt, and unfriendly to virtue, than that system of Christianity that then prevailed in Britain, and all the nations of Europe, except the lives of the generality of its teachers. It is impossible to read without horror the descriptions given by Petrarch (who was himself a priest), of the profligacy of the papal court in the fourteenth century, while it resided at Avignon. If there be any truth in these descriptions, of which we have no reason to doubt, that city was then the most odious unhallowed scene that ever the sun beheld. "You imagine (wrote he in a letter to a friend) that "the city of Avignon is the same now that it was when "you resided in it:—No; it is very different.—It was "then, it is true, the worst and vilest place on earth; "but it is now become a terrestrial hell, a residence of "fiends and devils, a receptacle of all that is most wicked and abominable. What I tell you is not from hear-

Corruption  
of the papal  
court.

(7) Froissart, tom. 2. ch. 160. p. 282.

" say,

“ say, but from my own knowledge and experience. In this city there is no piety, no reverence, or fear of God, no faith or charity, nothing that is holy, just, equitable, or humane. Why should I speak of truth, where not only the houses, palaces, courts, churches, and the thrones of popes and cardinals, but the very earth and air, seem to teem with lies. A future state, heaven, hell, and judgment, are openly turned into ridicule, as childish fables. Good men have of late been treated with so much contempt and scorn, that there is not one left amongst them to be an object of their laughter (8).” To confirm the truth of these, and other reproaches no less severe, Petrarch relates several curious anecdotes of the dissimulation and debauchery of the cardinals which are too indelicate to be admitted into this work (9).

Profligacy  
of the  
clergy.

When the manners of popes, cardinals, court-prelates, and their retainers, were so corrupted, those of the clergy in general could not be pure; especially when (as we are assured by the same author) the more wicked any one was, the more certain he was of preferment in the church (10). Accordingly we find, that the vices of the clergy were the chief subjects of satire in every country in Europe, and particularly in England, in the fourteenth century. The poems of Chaucer abound in such satire; and the *Plowman's Tale* is one continued invective against the clergy for their gross ignorance, cruelty, covetousness, simony, vanity, pride, ambition, drunkenness, gluttony, lechery, and other vices; of which the following are a few examples:

Their  
gross igno-  
rance.

Suche as can nat yfay ther crede,  
With prayer shul be made prelates;  
Nether canne thei the gospell rede,  
Suche shul now welthin hie citates.

Cruelty

There was more mercy in Maximine  
And Nero that never was gode,  
Than there is now in some of them,  
Whan he hath on his turren hede.

(8) Fran. Petrarch. *Epist. sine titulo*, lib. 1. p. 10, &c.

(9) Fran. Petrarch. *Epist. sine titulo*, lib. 1. p. 7. 10, &c.

(10) *Id. ibid.*



They halowe nothing but for hire,  
Ne churche, ne font, ne vestement;  
They layith out thir large hettes,  
For to takin silver and golde.

Thei fillin coffers and sackes fettes  
There as they catchen soules sholde.

Ne usin thei no simonie  
But selle churches and priories.  
—With purie they purchase parsonage.

Simony.

Of scarlet and grene gaie gounes,  
That mote be shapen for the newe,  
To clippen and kessen in townes  
The domofiles that to the daunce fewe.  
Cuttid clothis to fewe ther hewe,  
With long pikis on ther shone,  
Or Gode's gospel is not true,  
Eitner thei serve the devill or none.

Vanity in  
drefs.

Lordes also move to them loute,  
Obeytaunt to ther brode blessing,  
Thei ridin with ther royal route  
On a courfir, as it were a king,  
With saddle of golde glittering,  
With curious harnais quaintly crallit (11),  
Stiropis gaie of golde maitling (12).

Pride.

These han more might in Englande here,  
Than hath the king and all his lawe;  
Thei han purchafed such powere  
To takin hem whom list not knawe.  
The king's law wel no man deme  
Angerlich, withoutin answere;  
But if any man these misqueme,  
He shall be baughted as a bere.

Ambition  
and ty-  
ranny.

Thei fide of many manir metes,  
With long and solas sitting long;  
And filleth ther wombe, and fast fretes (13),  
And from the mete unto the gong (14).  
And after mete with harp and song,  
And hot spices ever among;  
And fille ther wombe with wine and ale.

Luxury.

Mennis wivis thei wollin hold,  
And though that thei bin right sory,  
To speke thei shall not be so bold,

Lechery.

(11) Crallit, engraved.

(12) Maitling, shining.

(13) Fast fretes, eat voraciously.

(14) Gong, a jakes.

For sompning to the consistory,  
And make them saie with mouthe I lie,  
Though thei it sawin with ther eye,  
His lemman holden openly,  
No man so hardy to aske why.

Other vices.

They use horedom and harlottrie,  
And covetise, and pompe, and pride,  
And sloth, and wrathe, and eke envie,  
And siveine tyme by every side.  
As Goddes godlines no man teill might,  
Ne write, ne speke, ne think in thought  
So ther flashed, and ther unright,  
Maie no man tell that ere God wrought (15).

The times  
of Anti-  
christ be-  
lieved to be  
at hand.

The dissoluteness of the clergy in our present period was so conspicuous, that it gave rise to an opinion that universally prevailed, that the times of Antichrist were drawing near. "It is believed by all wise men (says Roger Bacon), that the times of Antichrist are near at hand (16)." Dr. Nicholas Orem, a celebrated preacher, in a sermon before the pope and cardinals, A. D. 1364, proposed to prove that Antichrist would shortly make his appearance in the world, from the following signs of his approach.—1. The Christian church was become more corrupt than that of the Jews was in the days of Christ, of which he gave many examples.—2. The great inequality in the state of the Christian clergy, "of whom some be so high that they exceed all princes of the earth; some again be so base, that they are under all rascals."—3. The pride of prelates, which doth excite indignation in many, and respect only in few.—4. The intolerable tyranny of the governors of the church, which was so violent that it could not be lasting.—5. The promoting the most vicious and unworthy in the church, and neglecting the most worthy.—6. The princes and rulers of the church hate them that tell them truth, and refuse to hear their faults (17). Even Petrarch, though he doth not seem to have had any scruples about the doctrines and ceremonies of the church, was so much shocked at the gross corruption of manners in the papal court, that he applied the predictions in the book of the Revelations of St. John, relating to Babylon, the mother of harlots, and abomi-

(15) Chaucer's Works, published by Urry, p. 179—189.

(16) Bacon Opus Majus, p. 254.

(17) Fox's Acts and Monuments, p. 383, &c.

nations of the earth, to the city of Avignon, which was then the residence of the pope and cardinals (18). At length Dr. John Wickliff in England, and several eminent persons in other parts of Europe, openly affirmed, that the pope was Antichrist; and that it was the duty of emperors, kings, princes, and nobles, to resume the lands and donations that had been granted to the church by their ancestors, for the support of the clergy; because they were possessed by Antichrist and his ministers (19).

This too general profligacy of the clergy could not fail to have an ill-effect on the manners of the laity. For the clergy in those times possessing immense wealth and great power, had many followers and dependents, who were no doubt ready enough to imitate their example, to flatter them in their vices, and to minister to their pleasures. We have reason therefore to suspect, that the laity in general were not more virtuous than their teachers, though, from the difference of their circumstances, their vices were in some respects different. The cruel unnatural law of the celibacy of the clergy, for example, involved many of that body in various vices, to which the laity had not the same temptations.

But though there is sufficient evidence that rational religion and real virtue did not greatly flourish among the people of Britain in the thirteenth and fourteenth centuries, we must not imagine that the national virtues which prevailed in their ancestors were now quite extinct in their posterity (20). No! they still possessed the same kind of piety, strongly tinged with superstition, and would have been no less liberal to the church than their forefathers, if they had not been restrained by laws, which they laboured to elude. A passion for holy wars, pilgrimages, relics, &c. was also very general, and esteemed one of the strongest evidences of eminent piety. Henry Spencer, the warlike bishop of Norwich, raised a great army in England, and conducted it to the continent, A. D. 1383, to support the election of pope Urban VI. and put to death all the adherents of his antagonist Clement VII. The bulls of Urban, promising a plenary remission of their sins, and a place in paradise to all who fought in his cause,

(18) Revelat. chap. 17. Petrarchi Opera, edit. Basil. r. 729.

(19) Hen. Knyghton, fol. 2707. T. Walsing. p. 191.

(20) See vol. 3.

or contributed money to support it, were the chief instruments employed to raise that army, and to collect money for its pay, and the other expences of that holy war (21). “As soon (says the historian), as these bulls were published in England, the whole people were transported with joy, and thought that the opportunity of obtaining such inestimable graces was not to be neglected (22).” Pilgrimages were frequently and universally performed by persons of all ranks; and those that were longest and most dangerous were believed to be most meritorious. That an excessive veneration for relics was no less universal, is evident from the following curious transaction, recorded by an eye-witness. Henry III. summoned all the great men of the kingdom, A. D. 1247, to come to London on the festival of St. Edward to receive an account of a certain sacred benefit which heaven had lately bestowed on England. The singular strain of this summons excited the most eager curiosity, and brought great multitudes to London at the time appointed. When they were all assembled in St. Paul’s church, the king acquainted them, that the great master of the knights-templars had sent him, by one of his knights, a phial of chrystal, containing a small portion of the precious blood of Christ, which he had shed upon the cross for the salvation of the world, attested to be genuine by the seals of the patriarch of Jerusalem, of several archbishops, bishops, abbots, and other great men of the Holy Land. This, he informed them, he designed to carry the next day, in solemn procession, to Westminster, attended by them, and by all the clergy of London, in their proper habits, with their banners, crucifixes, and wax candles; and exhorted all who were present to prepare themselves for that sacred solemnity, by spending the night in watching, fasting, and devout exercises. On the morrow, when the procession was put in order, and ready to set forward, the king approached the sacred phial with reverence, fear, and trembling, took it in both his hands, and holding it up higher than his face, proceeded under a canopy, two assistants supporting his arms. Such was the devotion of Henry on this occasion, that though the road between St. Paul’s and Westminster was very deep and miry, he kept

(21) T. Walsing, p. 297.

(22) *Id. ibid.*



his eyes constantly fixed on the phial, or on heaven. When the procession approached Westminster, it was met by about one hundred monks of that abbey, who conducted it into the church, where the king deposited the venerable relic, which (says the historian) made all England shine with glory, dedicating it to God and St. Edward, to the church of St. Peter's Westminster, and the monks of that abbey (24). An astonishing display of mistaken piety, or rather of the most sottish superstition and credulity!

Courage and bravery may very safely be reckoned **Valour.** among the national virtues of both the British nations in this period; of which the history of their martial achievements affords the clearest proofs. The two glorious victories of Cressy and Poitiers are incontestable evidences of the heroic valour of the English; and the obstinate invincible fortitude with which the Scots asserted the independency of their country, against the repeated efforts of their too powerful neighbours to subdue them, is a demonstration that they were then a brave and valiant people.

A noble spirit of liberality and munificence prevailed **Generosity.** in this period, especially among the great martial barons; of which it may be proper to give one example: the lord James Audeley, one of the first knights of the garter, obtained permission from the prince of Wales to begin the battle of Poitiers; and, attended by his four faithful esquires, performed prodigies of valour. As soon as the action was over, and the victory complete, the prince inquired for the lord Audeley; and being informed that he lay dangerously wounded at a little distance, commanded, if it could be done with safety, to bring him to his tent. When lord Audeley, carried in a litter, entered, the prince embraced him in the most affectionate manner; declared, that he had been the best doer in arms in the business of that day; and made him a grant of five hundred marks yearly (equivalent to about 8,000*l.* at present), as a reward of his valour. Lord Audeley accepted this noble grant with the warmest expressions of gratitude; but as soon as he was carried to his own tent, he bestowed it on his four brave and faithful esquires, with-

(24) M Paris, an. 1247, p. 493. col. 2.

out reserving any share of it to himself. The prince applauded this generous action, and rewarded it with another grant of six hundred marks a-year (25). The generosity of those times was not always so wisely directed, but often degenerated into vain absurd extravagance. Alexander III. king of Scotland, being present at the coronation of Edward I. rode to Westminster, attended by one hundred knights, mounted on fine horses, which they let loose, with all their furniture, as soon as they alighted, to be seized by the populace as their property. In this he was imitated by the earls of Lancaster, Cornwall, Gloucester, Pembroke, and Warrenne, who each paid Edward the same expensive unprofitable compliment (26). The extravagant ruinous liberalities of Henry III. and Edward II. are so well known, that they need not be mentioned.

**Hospitality.** An almost unlimited hospitality reigned in the palaces of princes, and the castles of great barons, in the times we are now delineating. The courts of some of the kings of England in this period are said to have been splendid and numerous, to a degree that is hardly credible, and of which no examples have been seen for several centuries. That of Richard II. is thus described by an historian of the greatest integrity: "His royalty was such, that wheresoever he lay, his person was guarded by two hundred Cheshiremen; he had about him thirteen bishops, besides barons, knights, esquires, and other more than needed; insomuch, that to the household came every day to meat ten thousand people, as appeared by the messes told out of the kitchen to three hundred servants, &c. (27)". We may form some idea of the magnificence and hospitality of the opulent and powerful barons of those times, from an account of the household expences of Thomas earl of Lancaster for A. D. 1313 (28). From that account it appears, that this great earl expended in house-keeping that year no less than 7,309*l.* containing as much silver as 21,92*l.* equal in efficacy to 109,635*l.* of our money at present. The surprising cheapness of some of the ar-

(25) Duffart, tom. i. ch. 165. 167.

(26) H. Knighton, col. 2461.

(27) Stow's Annals, p. 323.

(28) Anderson's History of Commerce, an. 1313.

ticles in that account gives us reason to think, that it would even require a much greater sum than 109,635*l.* to purchase an equal quantity of provisions at this time. The pipe of French wine cost only 17*s.* which, according to the above computation, was equivalent to 4*l.* 5*s.* of our money; a very inconsiderable part of its price at present. We may judge also of the grandeur and hospitality with which this earl lived, and of the immense quantities of provisions of all kinds that were consumed in his family in one year, from the quantity of wine, which was no less than three hundred and seventy-one pipes (29). Other earls and barons in general spent almost all their revenues, and the produce of their large domains, in hospitality at their castles in the country, which were ever open to strangers of condition, as well as to their own vassals, friends, and followers. This profuse expensive hospitality, it would seem, began to decline a little towards the conclusion of this period; and some barons, instead of dining always in the great hall with their numerous dependents, according to ancient custom, dined sometimes in private parlours, with their own families, and a few familiar friends. But this innovation was very unpopular, and subjected those who adopted it to much reproach (30).

A splendid ostentatious kind of gallantry, expressive of the most profound respect and highest admiration of the beauty and virtue of the ladies, was studied and practised by the martial barons, knights, and esquires of this period. This gallantry appeared in its greatest lustre at royal tournaments, and other grand and solemn festivals, at which the ladies shone in their brightest ornaments, and received peculiar honours. When Edward III. A. D. 1344, celebrated the magnificent feast of *the round table*, at Windsor, to which all the nobility of his own dominions, and of the neighbouring countries, had been invited, queen Philippa, and three hundred ladies, illustrious for their birth and beauty, uniformly dressed in the richest habits, adorned that solemnity, and were treated with the most pompous romantic testimonies of respect and admiration (31). Many of the most magnificent

(29) Anderfen's History of Commerce, an. 1313.

(30) Warton's Hist. of Poetry, vol. i. p. 276.

(31) Walsing. p. 164. Froissart, tom. i. ch. 101. p. 116.

tournaments of those times were the effects of this kind of gallantry, and were designed for the honour and entertainment of the ladies, who appeared at these solemnities in prodigious numbers, and from different countries (32). Sometimes a few brave and gallant knights published a proclamation in their own, and in several other countries, asserting the superior beauty and virtue of the ladies whom they loved; and challenging all who dared to dispute that superiority, to meet them at a certain time and place to determine the important controversy by combat (33). These challenges were constantly accepted, and produced tournaments, to which princes, knights, and ladies of different nations crowded. This romantic gallantry displayed itself in times of war, as well as peace, and amorous and youthful knights fought as much for the honour of their mistresses as of their country. A party of English and a party of French cavalry met near Cherburgh, A. D. 1379, and immediately prepared for battle. When they were on the point of engaging, sir Lancelot de Lorres, a French knight, cried aloud, that he had a more beautiful mistress than any of the English. This was denied by sir John Copeland, who run the Frenchman through the body with his spear, and laid him dead at his feet (34). When Edward III. raised a great army to assert his claim to the crown of France, a considerable number of young English gentlemen put each of them a patch upon one of his eyes, making a solemn vow to his mistress, that he would not take it off till he had performed some notable exploit in France, to her honour; and these gentlemen (says Froissart) were much admired (35).

Chivalry.

The revival of chivalry by Edward I. and Edward III. contributed not a little to promote valour, munificence, and this splendid kind of gallantry, among persons of condition, who aspired to the honours of knighthood, which were then objects of ambition to the greatest princes. An ingenious writer, who had studied this subject with the greatest care, affirms positively, that “all the heroic virtues which then existed in the several states of christendom, were the fruits of chival-

(32) Walsing. p. 107. Froissart, tom. 1. ch. 101. p. 116.

(33) Id. tom. 4. p. 26. 90.

(34) Froissart, tom. 2. p. 50.

(35) Id. tom. 1. ch. 29.



“ ry (36).” This assertion may be too strong ; but it cannot be denied, that the spirit and laws of chivalry were friendly to the cause of virtue. By these laws none but persons of unfulfilled characters could obtain the honours of knighthood, which were conferred with much solemnity, on the most public occasions, and in the presence of the most august assemblies. After the candidate had given sufficient proofs of his prowess, and other virtues, to merit that distinction, and had prepared himself for receiving it, by fasting, confessing, hearing masses, and other acts of devotion, he took an oath consisting of twenty-six articles, in which, amongst other things, he swore, that he would be a good, brave, loyal, just, generous, and gentle knight, a champion of the church and clergy, a protector of the ladies, and a redresser of the wrongs of widows and orphans (37). Those knights who acquitted themselves of these obligations in an honourable manner, were favoured by the fair and courted by the great ; but those who were guilty of base dishonourable actions, were degraded with every possible mark of infamy. All this could hardly fail to have some influence on the conduct of those who were invested with that dignity ; though, from the rudeness of the times, and the general dissolution of manners which then prevailed, that influence was probably much less than might have been expected.

Chivalry declined in England during the inglorious reigns of king John and Henry III. but revived under Edward I. That prince was one of the most accomplished knights of the age in which he flourished, and both delighted and excelled in feats of chivalry. It is a sufficient proof of this, that when he was on his return from the Holy Land, after his father’s death, and knew that his presence was ardently desired in England, he accepted an invitation to a tournament at Chalons in Burgundy. At that famous tournament, which terminated in a real battle, he displayed his valour and dexterity to great advantage, and gained a complete victory (38). Edward III. was no less fond of chivalry, and encouraged it both by

(36) M. de la Curie De Sainte Palaye, sur l’Ancienne Chevalerie, tom. 1. p. 215.

(37) Id. *ibid.* part 2. p. 67—80.

(38) Mat. Westminster, l. 2. p. 354. Annal. Nu. Trivite, ad. ann. 1272.

his example and munificence. In this he was influenced by policy, as well as inclination. Having formed the design of asserting his claim to the crown of France, he laboured to inspire his own subjects with a bold enterprising spirit, and to entice as many valiant foreigners as possible into his service. With this view he celebrated several very pompous tournaments, to which he invited all strangers who delighted in feats of arms, entertained them with the most flowing hospitality, and loaded such of them as excelled in these martial sports with honours and rewards, in order to attach them to his person and engage them to fight in his cause (39). With the same view, and about the same time, he founded the most honourable order of the garter; of which his own heroic son the black prince was the first knight, and all the first companions were persons famous for their victories at tournaments, and in real wars (40). Philip de Valois, king of France, was so much alarmed at these proceedings of his powerful rival, that he set up a round table at Paris, in opposition to that at Windsor, and endeavoured to render his tournaments more splendid than those of Edward, in order to attract a greater number of foreign knights, that he might retain them in his service (41). In a word, chivalry, which is now an object of ridicule, was, in those times, a matter of the greatest moment, and had no little influence on the manners of mankind and fate of nations.

Follies and  
vices.

It is unnecessary to give a long detail of the national foibles and vices of the people of Britain in the present period, as they were nearly the same with those of their ancestors in that immediately preceding (42). A most absurd irrational credulity still reigned in all the nations of Europe, not only among the vulgar, but among persons of the highest rank and best education. Pope Innocent VI. firmly believed that Petrarch was a magician, because he read Virgil (43). Many miracles were reported and believed to be wrought in different places, on the most trifling occasions, and are recorded by our gravest

(39) Froissart, tom. i. ch. 90. 101.

(40) See the Lives of the founder, and of all the first knights, in Ashmole's History of the Garter, chap. 26.

(41) T. Walling. p. 164.

(42) See vol. 2.

(43) Petrarchi Opera, Basil. edit. p. 729.

historians as unquestionable facts (44). No prince engaged in any undertaking of importance till his astrologers had consulted the stars, and discovered the auspicious moment for carrying it into execution. Of this we meet with a very curious example, in the account given by Matthew Paris of the marriage of Frederic emperor of Germany, and Isabella, sister of Henry III. A. D. 1235 (45).

The administration of justice, even in the king's courts, was very corrupt and oppressive in this period. <sup>Justice ill administered.</sup> This was partly owing to the venality of the judges, and partly to unlawful confederacies among the subjects, to support each other in their law-suits. The venality of the king's ministers of justice at length became so intolerable and notorious, that they were tried by a parliament held at Westminster, A. D. 1289, found guilty, and fined according to the degrees of their delinquencies. Sir Adam de Stratton, chief baron of the exchequer, was fined in no less than 34,000 marks, equivalent to 340,000*l.* of our money at present; and this, with the fines of the other judges, amounted to a sum equivalent to one million in our times (46). Sir Thomas Weyland, chief justice of the common pleas, having been found guilty of exciting some of his followers to commit a murder, and of protecting them after they had committed it, was condemned to be hanged; but the king, in consideration that he was a knight (a character which Edward I. much revered), spared his life, banished him out of the kingdom, and confiscated his whole estate (47). But all this severity doth not seem to have put an end to this evil; for we meet with very loud complaints of the corruption of the judges long after this time. The monk of Malmesbury, A. D. 1319, assures us, that there was not so much as one of the king's ministers and judges who did not receive bribes, and very few who did not extort them (48). The eight statutes made in this period against champerty, as it was called, or forming confederacies

(44) M. Paris, p. 140, 141, 142. 146. *passim*. T. Walsing. p. 340.

(45) Nocte vero prima qua concubuit Imperator cum ea, noluit eam carnaliter cognoscere, donec competens hora ab astrologis ei nunciaretur. M. Paris, p. 283. ad an. 1235.

(46) T. Wykes, Chron. ann. 1282.

(47) Annal. Dunstap. an. 1289.

(48) Monach. Malmf. ad. an. 1316.

for supporting each other in all quarrels and law-suits, affords sufficient evidence, that this evil very much prevailed, and was very hard to be eradicated (49).

Robbery  
prevailed,

Robbery was the reigning vice, not only in Britain, but in all the nations of Europe, in the present period; and robbers were then more numerous, cruel, and destructive, than at any other time. These pests of human society were frequently formed into companies under the protection of powerful barons, who sheltered them in their castles, and shared with them in their booty. During the feeble reign of Henry III. many strong castles belonging to great men were no better than dens of thieves and robbers, who from thence infested the whole country. In Hampshire their numbers were so great, that the judges could not prevail upon any jury to find any of them guilty; and the king himself complained, that when he travelled through that county, they plundered his baggage, drank his wine, and treated him with contempt. It was afterwards discovered, that several members of the king's household were in confederacy with the robbers (50). Even under the more vigorous administration of Edward I. a numerous band of robbers assaulted the town of Boston, A. D. 1285, in the time of the fair, set it on fire in three places, and carried off an immense booty in money and goods. Their leader Robert Chamberlan, a gentleman of great power and wealth, was taken, tried, and executed; but he could not be prevailed upon to discover so much as one of his accomplices (51). The robbers of those times plundered all who came in their way without distinction. A troop of them, commanded by Gilbert Middleton and Walter Selbey, assaulted two cardinals, who were escorted by the bishop of Durham and his brother lord Beaumont, attended by a numerous retinue of gentlemen and servants, near Darlington, A. D. 1316. Having robbed the cardinals of their money and effects, they allowed them to proceed on their journey; but they carried the bishop and his brother prisoners, the one to the castle

(49) Statutes at Large, 1st Ed. I. ch. 25.; 13th Ed. I. ch. 49.; 28th Ed. I. ch. 2.; 33d Ed. I. ch. 1.; 1st Ed. III. ch. 14.; 4th Ed. III. ch. 1.; 1st Richard II. ch. 4.; 7th Richard II. ch. 7.

(50) M. Paris, *Vitæ Abbatum*, p. 78. M. Paris Hist. p. 225, &c.

(51) H. Knyghton, p. 2465.



of Morpeth, and the other to the castle of Mitford, and there detained them till they had paid their ransoms (52). Peter king of Cyprus and Jerusalem, who visited England A. D. 1363, was robbed on the highway, and stripped of his money and baggage (53). As the robbers of this period were very numerous, so some of them were very cruel; and the character which one of their chiefs wore embroidered upon his coat in letters of silver, might have been applied to several others,—“ I am Captain Warner, commander of a troop of robbers, an enemy to God, without pity and without mercy (54).”

When those audacious plunderers dared to rob kings, cardinals, bishops, and lords, and even to pillage populous towns, we may presume, that they were very terrible to ordinary travellers, and the inhabitants of the open country. That they really were so, we learn from the historians of those times, who assure us, that travelling was very dangerous, and that the people in the country lived under continual apprehensions of being plundered (55). Besides this, many other things conspired to render the condition of the great body of the people of Britain, in this period, uncomfortable and unhappy. They were almost necessarily condemned to live in ignorance, and had hardly any means of acquiring either civil or religious knowledge. Religious liberty was quite unknown; and the clergy enslaved the minds of the laity, as well as preyed upon their fortunes, in many different ways. The common people, and even those in the middle ranks of life, enjoyed but a very small share of civil liberty; and all the protection they received from law and government was frequently insufficient to defend them from the oppression of the too powerful barons, who were many of them petty tyrants. The long bloody and destructive wars between England and Scotland, and England and France, involved the people of all these countries in very great calamities. The wars between England and Scotland were carried on with uncommon animosity; and in the course of them much of

Miserable  
state of  
common  
people.

(52) Walsing. Ypodigma Neustriz, p. 503.

(53) T. Walsing. Hist. p. 179.

(54) Memoires de Petrarque, tom. 3. p. 185.

(55) M. Paris, p. 508, 509. Vitæ Abbatum, p. 78. Rym. Fæd. tom. 2. p. 284. Annal. Dunstap. vol. 1. p. 255. Heming. t. 1. p. 209. Knyghton, col. 2628.

the best blood in Britain was spilt, many populous towns and villages were reduced to ashes, and the borders of both kingdoms were almost desolated. The devastations of war, and the imperfection of agriculture, occasioned frequent famines, in which many of the common people perished (56). Some of these famines were so severe, that many mothers, it is said, committed the most unnatural acts of cruelty to prolong their miserable lives (57). Some of these famines were followed by epidemical diseases, or rather plagues, which swept off still greater multitudes. "This year, A. D. 1316 (says Walsingham), the famine gradually increased; and about the beginning of August a quarter of wheat sold at London for forty shillings (equivalent to 30*l.* of our money at present). The famine was followed by so great a mortality, especially among the poor, that the living were hardly able to bury the dead. For a dysentery, accompanied by an acute fever, occasioned by unwholesome food, became universal, and very soon proved mortal (58)." The dreadful pestilence which raged over all Britain A. D. 1349, was still, if possible, more destructive. The accounts given of the ravages of this plague, by the best contemporary historians, are hardly credible, some affirming, that it carried off one half, and others a much greater proportion of the whole people (59). When all these circumstances are considered, few will be disposed to envy the happiness of their ancestors who flourished in the thirteenth and fourteenth centuries, or to think that those times were better than the present.

Language.

A kind of confusion of tongues prevailed in England for several centuries after the Norman conquest, when the different orders of the people made use of different languages. This was so much the case, even in the former part of the fourteenth century, that public speakers were sometimes obliged to pronounce the same discourse three times to the same audience, once in Latin, once in French, and once in English (60).

(56) M. Paris, p. 652, 653, 655. Monach. Malmf. an. 1316. p. 166. T. Walsing. p. 54. 63. 108. Knyghton, col. 2435, 2436. 2444. 2502. 2737.

(57) T. Walsing. p. 108.

(58) Id. *ibid.*

(59) T. Walsing, p. 168. Knyghton, col. 2598, 2599, 2560.

(60) Wilkin. Concilia, tom. 2. p. 333. col. 2.

Latin was the language of the church, of the schools, Latin. of the courts of justice, and in general of the learned of all professions, who frequently conversed and corresponded with one another in that tongue. Divines, philosophers, historians, and even poets, composed the far greatest part of their works in Latin, especially before the middle of the fourteenth century. All acts of parliament to A. D. 1266, and many of them long after, were in that language. It was not till A. D. 1258, that the Great Charter itself was translated into English, and read to the people in their mother-tongue (61). To the very end of this period the royal proclamations were for the most part in Latin, a language which was understood by none of the common people, and by very few of the nobility or gentry (62). But it is very probable that these proclamations were translated or explained to the people when they were published.

The Norman or French was the language of the court French. of England, of the nobility, and of all who wished to be thought persons of rank and fashion, for about three centuries after the conquest. To the truth of this we could produce the testimony of several unexceptionable witnesses; but that of Ralph Higden, author of the Polycronicon, and his translator John de Trevisa, who flourished under Edward III. and Richard II. will be sufficient: "Gentilmen's children ben lerned and taught  
" from theyr youthe to speke Frenshe. And uplondish  
" men will counterfete and liken himself to gentilmen,  
" and arn besy to speke Frenshe, for to be more sette  
" by; wherefore it is sayd by comyn proverbe, Jack  
" wold be a gentilman if he coude speke Frenshe." To this, Trevisa the translator adds, "This mannar was  
" moche used tofore the great deth (1349), but syth it  
" is somewhat chaunged (63)." The following curious and well-attested fact seems to indicate that Edward I. and his nobility did not very well understand either Latin or English. Pope Boniface VIII. having issued a bull, A. D. 1300, commanding Edward I. in a very imperious tone, to abstain from troubling the kingdom of Scotland, and to refer all his disputes with the people of

(61) Annal. Dunelm. p. 336. ad an. 1258.

(62) See Rym. Fœd. from vol. 1. to 9.

(63) Trevisa's Translation of Higden, lib. 2. fol. 55.

that kingdom to his holiness, he sent it to the archbishop of Canterbury, with a mandate to deliver it to the king. The archbishop wrote a letter to the pope, in answer to that mandate, acquainting him, that he had taken a very long and fatiguing journey into Scotland, and had found the king in his camp near New-Abbey in Galloway, who summoned a great council of his nobility to hear his message; that he received the bull with great reverence, commanded it to be read aloud before the council, (which consisted of prince Edward and all the earls, barons, and knights of the army), and afterwards ordered it to be fully explained in the French language (64).

Anglo-Saxon.

Anglo-Saxon or English was the language of the great body of the people of England. This language they derived from their ancestors the Anglo-Saxons, and retained with great steadiness, in spite of all the efforts of the Conqueror and his successors to substitute the Norman in its place. It even gradually gained ground, and in the course of this period forced its way into the courts of justice, from which it had been excluded almost three hundred years. An act of parliament was made, A. D. 1362,—that all pleadings in all courts, both of the king and of inferior lords, should be in the English tongue, because French was now much unknown in the realm, and that the people might know something of the laws, and understand what was said for and against them (65). But this victory was far from being complete; for that very act of parliament was, and many others long after were, in French: a sufficient proof, that persons in the higher ranks of life still retained a predilection for that language.

Anglo-Saxon pure.

The Anglo-Saxon that was spoken in England about two hundred years after the conquest was surprisingly pure, with very little mixture of Latin, French, or any other language. Of this the reader will be convinced, by perusing the specimen of that language which he will find in the Appendix, with a translation into modern English words interlined (66).

English.

In the course of the fourteenth century, the Anglo-Saxon gradually changed into what may be called Eng-

(64) Wilkin. Concil. tom. 2. p. 262.

(65) Statutes at Large, A. D. 1362. ch. 15.

(66) Append. No. 3.



lish. This was owing to various causes. That animosity which had long subsisted between the posterity of the Normans and of the Anglo-Saxons, was now extinguished, and they were in a great measure consolidated into one people, by intermarriages and other means. Many of the Normans who were engaged in agriculture, trade, and manufactures, though they had been taught French by their parents in their youth, found it necessary to speak the language of the multitude, into which they introduced many French words and idioms to which they had been accustomed. Besides this, Chaucer, Gower, Wicliff, and several others, composed voluminous works, both in prose and verse, in English; and being men of learning, well acquainted with French and Latin, and some of them with Greek and Italian, they borrowed many words and idioms from those languages, with which they adorned and enriched their own. By these means, the Anglo-Saxon tongue was greatly changed before the end of this period, and the language of the best writers approached much nearer to modern English than that of Robert of Gloucester, and others who flourished in the thirteenth century.

It must, however, be confessed, that the English of the fourteenth century was still so different from that of the eighteenth, that a mere English reader cannot always understand it without a glossary. The mode of spelling was unsettled, and very different from the modern. In general, they delighted much in vowels, and avoided the multiplication of consonants more carefully than we do at present. Many words were then in common use, and perfectly well understood, which are now become obsolete, and consequently unintelligible to the bulk of readers. The meaning of several words was very different then from what it is at present. A knave, for example, sometimes signified a male, in opposition to a female:—"The time is come, and a knave child she bare (67);" but most frequently a servant, in opposition to a freeman. Its modern meaning is well known. The poets of those times used extraordinary freedoms (which would not be now allowed) in shortening, lengthening, dividing, uniting, and changing words, to fit them for their purposes;

(67) Chaucer, p. 50.

which renders their language obscure and difficult to a modern reader. The above observations might have been confirmed and illustrated by examples; but that would have been tedious, and too minute for general history. The truth of them is well known to all who are in the least acquainted with the authors of those times.

Different  
dialects.

Various dialects and different modes of pronouncing the English of this period prevailed in different districts: "Hit semeth a grete wonder that Englyssimen have so grete dyversyte in theyr owin langage in sowne and in spekyin of it, which is all in one ilonde (68)." If we may form a judgment of these modes of pronunciation from the words used by a contemporary writer in describing them, they were harsh enough: "Some use straunge wlaßing, chytryng, harring, garryng, and gryßbyting.—The langages of the Northumbres, and specyally at Yorke, is so sharpe, flytting, frotyng, and unshape, that we sothern men maye unneth understande that langage (69)."

Dress.

The extravagancies of dress and follies of fashion have been subjects of complaint and satire in every age, and in none more justly than the period we are now delineating. In the remaining monuments of those times, we meet with many descriptions of the splendid expensive dresses of the great, and many complaints of the ridiculous, deforming, inconvenient fashions adopted by persons of all ranks. The magnificent costly dresses of the barons and knights who attended the marriage of Alexander III. king of Scotland, and Margaret, eldest daughter of Henry III. at York, A. D. 1251, are thus mentioned by Matthew Paris, who was present at that solemnity: "The royal marriage was solemnized privately, and very early in the morning, to avoid being incommoded by the multitudes of nobles of England, France, Scotland, and other countries who were then in York, and ardently desired to see it. It would raise the surprise and indignation of my readers to the highest pitch, if I attempted to describe at full length the wantonness, pride, and vanity, which the nobles displayed on this occasion, in the richness and variety of their dresses, and the many fan-

(68) *Trevisa*, l. 1. fol. 55.

(69) *Id. ibid.*

“tastical

“ tastical ornaments with which they were adorned. To  
 “ mention only one particular:—The king of Eng-  
 “ land was attended on the day of the marriage by  
 “ a thousand knights, uniformly dressed in silk robes,  
 “ which we call *cointises*; and the next day these knights  
 “ appeared in new dresses, no less splendid and expen-  
 “ sive (70).” This taste for too great exence in dress  
 was not peculiar to the great but infected all the different  
 ranks in society. For though there might be some exag-  
 geration, there was certainly also some truth, in the pas-  
 sage already quoted from the monk of Malmbury, in his  
 life of Edward II.—“ the squire endeavours to outshine the  
 “ knight, the knight the baron, the baron the earl, the  
 “ earl the king, in dress (71).” The clergy were no less  
 vain and extravagant in their dress than the laity.

They hie on horse willeth to ride,  
 In glitterande golde of grete arde,  
 Painted and portrid all in pride,  
 No common knight maie go to gaite;  
 Chaunge of clothing every daie,  
 With golden girdels great and small.—

Miters thei werin mo than two,  
 Iperlid as the queen's hedde,  
 A staff of gold, and pirrie to !  
 As hewie as it were made of ledde,  
 With cloth of golde both newe and redde (72).

This humour increased remarkably in the reign of Ed-  
 ward III. “ In this year, 1348 (writes an annalist of  
 “ those times), England enjoyed great prosperity, plen-  
 “ ty, and tranquillity, in consequence of her many victo-  
 “ ries. Such quantities of furred garments, fine linens,  
 “ jewels, gold and silver plate, rich furniture and uten-  
 “ sils, the spoils of Caen, Calais, and other foreign ci-  
 “ ties, were imported, that every woman of rank ob-  
 “ tained a share of them, and they were seen in every  
 “ mansion. Then the ladies of England became proud  
 “ and vain in their attire, and were as much clated by  
 “ the acquisition of all that finery as the ladies of France  
 “ were dejected by the loss of it (73).”

At length the legislature found it necessary to interpose, <sup>Regulated</sup>  
 by making sumptuary laws, for regulating the dress of all <sup>by law.</sup>

(70) M. Paris, p. 555.

(71) Mon. Malm. p. 163.

(73) T. Walsing. p. 168.

(72) Chaucer's Works, p. 179.

ranks of people, in a parliament held at Westminster A. D. 1363. In the preamble to these laws they are said to have been made,—“to prevent that destruction  
“and poverty with which the whole kingdom was threat-  
“ened, by the outrageous excessive expences of many  
“persons in their apparel, above their ranks and for-  
“tunes (74).”

These laws  
had little  
effect.

But these laws seem to have had little or no effect. In the reign of Richard II. extravagance in dress became greater, and more universal, than it had ever been in any former period. “At this time (1388) the vanity of  
“the common people in their dress was so great, that it  
“was impossible to distinguish the rich from the poor,  
“the high from the low, the clergy from the laity, by  
“their appearance. Fashions were continually changing,  
“and every one endeavoured to outshine his neighbour  
“by the richness of his dress or the novelty of its  
“form (75).” This was partly owing to the example of the king, who was exceedingly fond of pomp, and so expensive in his dress, that he had one coat which cost him thirty thousand marks (76): an immense sum in those times. The king was imitated by his courtiers, and some of them even exceeded him in the splendour and variety of their dresses. Sir John Arundel, it is said, had no fewer than fifty-two complete suits of cloth of gold (77). This extravagance descended from one rank to another till it reached the very lowest of the people.

Fashions.

The writers of this period complain as much of the fashions as of the too great expence of dress. These fashions frequently changed; and some of them appear to have been very fantastical, inconvenient, and indecent. “The Englishmen haunted so moche unto the folye of  
“strawngers, that every yire thei chawnged them in di-  
“virse schappes and disgissinggs of clothingge; now  
“longe, now large, now wide, now straite; and every  
“day clothingges newe, and destitute and disirte from  
“alle honeste off old array, and gode usage; and ano-  
“ther time to schorte clothes and streite waisted, with  
“full slives, and tapetis of curtotes, and hodes over  
“longge and large, alle to nagged and knet on every

(74) Statutes at Large, tom. 1. p. 315.

(76) Holing. Chron. p. 1110.

(75) Knyghton, col. 2729.

(77) Ibid. p. 1015.



‘ side, and alle to flatteredde, and also bottenedde, that  
 ‘ iff I weth shall sey, they weren more lyke to turmen-  
 ‘ tours and deviles in their clothingge, and also in their  
 ‘ schoying (shoeing), and other array, than they semed  
 ‘ to be lyke men. And thette the wemmenne weren  
 ‘ more nycely arraiedde, and passed the menne in all  
 ‘ maner of araies and curious clothing (78).” Geof-  
 frey Chaucer’s account of the dresses of his age is not  
 more favourable. “ Alas! may not a man si as in our  
 ‘ daies the sinnefull cossewe arraie of clothing, and  
 ‘ namely in to moche superfluite, or else in to disordi-  
 ‘ nate scantinesse? As to the first—Superfluite in cloth-  
 ‘ ing, that maketh it so dire, to the harm of the peple,  
 ‘ not only the cost of embrowdering, the disguised in-  
 ‘ denting or barring, ounding, paling, winding, or bind-  
 ‘ ing and semblable wast of clothe, in vanite: but there  
 ‘ is also the cossewe furring in ther gounes, so much  
 ‘ pouncing of chesel to make holes, so moche dagging  
 ‘ with shires foorth, with the superfluite in length of  
 ‘ the forsaied gounes, trailing in the dong and in the  
 ‘ mire, on horse and also on fote, as well of man as of  
 ‘ woman.—Upon that other side, to speke of the hor-  
 ‘ rible disordinate scantnes of clothing, as ben these cut-  
 ‘ tid sloppes or handfelines (breeches), that through their  
 ‘ shortnes cover not the shamefull members of manne,  
 ‘ to wicked intent. Alas! some of hem skewe the bosse  
 ‘ of their shape, and the horrible swole members, in  
 ‘ the wrapping of ther hosen, and also the buttokes of  
 ‘ them, as farre as it were the hinder part of a she ape  
 ‘ in the fullnes of the mone.—Now as to the outrag-  
 ‘ ious aray of women, God wote, that though the vi-  
 ‘ sages of some of hem seme full chaste and debonaire,  
 ‘ yet notify in ther aray or attire licorousnes and  
 ‘ pride (79).” Some other parts of this description are  
 too indelicate to be admitted into this work. Petrarch  
 expressed his disapprobation of the dresses of his time in  
 still stronger terms, in a letter to the pope, A. D. 1366:  
 “ Who can see with patience the monstrous fantastical fa-  
 ‘ shions which the people of our times have invented to  
 ‘ deform, rather than adorn, their persons? Who can

(78) Douglas, Monk of Glaistenbury, apud Strutt, vol. 2. p. 83.

(79) Chaucer’s Works, by Urry, p. 198.

“ behold without indignation, their long-pointed shoes ;  
 “ —their caps with feathers ;—their hair twisted, and  
 “ hanging down like tails ;—the foreheads of young men  
 “ as well as women, formed into a kind of furrows with  
 “ ivory-headed pins ; their bellies so cruelly squeezed  
 “ with cords, that they suffer as much pain from vanity,  
 “ as the martyrs suffered for religion ;—and especially  
 “ those indecent parts of their dress which are extremely  
 “ offensive to every modest eye ? Our ancestors would  
 “ not have believed, and I know not if our posterity will  
 “ believe, that it was possible for the wit of this vain  
 “ generation of ours to invent so many base, barbarous,  
 “ horrid, ridiculous fashions (besides those already men-  
 “ tioned), to disfigure and disgrace itself, as we have the  
 “ mortification to see every day (80).

Long-point-  
ed shoes.

These strictures on the dresses of this period (to which others might be added) are indeed severe ; but a slight attention to a few of the inconvenient, ridiculous, indecent modes which then prevailed, will convince us that they were not unjust. What could be more inconvenient than their long-pointed shoes, with which they could not walk till they were fastened to their knees with chains (81) ? The upper parts of these shoes were cut in imitation of a church window. Chaucer's spruce parish-clerk Absolom

Had Paul's windowes corven on his shose (82).

These shoes were called *crackowes* ; and continued in fashion about three centuries, in spite of the bulls of popes, the decrees of councils, and the declamations of the clergy against them.

Description  
of a beau  
of the four-  
teenth cen-  
tury.

What could exhibit a more fantastical appearance than an English beau of the fourteenth century ? He wore long-pointed shoes, fastened to his knees by gold or silver chains ; hose of one colour on one leg, and of another colour on the other, short breeches, which did not reach to the middle of his thighs, and disclosed the shape of all the parts included in them ; a coat, one half white, and the other half black or blue ; a long beard ; a silk hood buttoned under his chin, embroidered with grotesque fi-

(80) Opera Petrarci, edit. Basil. p. 812.

(81) Camden's Remains, p. 295.

(82) Chaucer's Works, p. 26.

gures of animals, dancing men, &c. and sometimes ornamented with gold, silver, and precious stones (83). This dress, which was the very top of the mode in the reign of Edward III. appeared so ridiculous to the Scots (who probably could not afford to be such egregious fops), that they made the following satirical verses upon it :

Long beirds hirtilefs,  
Peynted whoods witles,  
Gay cotes gracelies,  
Maketh Englonð thriftelies.

The dress of the gay and fashionable ladies who frequented the public diversions of those times was not more decent or becoming. It is thus described by Knyghton, A. D. 1348: " These tournaments are attended by many ladies of the first rank and greatest beauty, but not always of the most untainted reputation. These ladies are dressed in party-coloured tunics, one half being of one colour, and the other half of another; their lirripipes or tippets are very short; their caps remarkably little, and wrapt about their heads with cords; their girdles and pouches are ornamented with gold and silver; and they wear short swords, called *daggers*, before them, a little below their navels: they are mounted on the finest horses, with the richest furniture. Thus equipped, they ride from place to place, in quest of tournaments, by which they dissipate their fortunes, and sometimes ruin their reputations (84)." The head-dresses of the ladies underwent many changes in the course of this period. They were sometimes enormously high, rising almost three feet above the head, in the shape of sugar-loaves, with streamers of fine silk flowing from the top of them to the ground (85). Upon the whole, I am fully persuaded, that we have no good reason to pay any compliments to our ancestors of this period, at the expence of our contemporaries, either for the frugality, elegance, or decency, of their dress.

The common people in Wales (where the arts had made little progress) were very imperfectly clothed in

(83) Camden's Remains, p. 194, &c. Strut, vol. 2. p. 83, &c.

(84) Knyghton, col. 2597.

(85) Montfaucon Monumens de la Monarchie Françoise, tom. 2. p.

this period. The Welshmen in the army of Edward II. were known in their flight from the battle of Bannockburn, by the meanness of their dress.

Sir Maurice also, the Barclay,  
Fra the great battle held his way,  
With a great rout of Walishmen.  
Where'er they yied men might them ken;  
For they well near all naked were,  
Or linen clothies had but mare (86).

We have no reason to suppose, that the common people in the highlands of Scotland (where the arts were as imperfect as in Wales) were better clothed than the Welsh. The Scots in the low country imitated the dress and fashions of the French and English, as their circumstances and knowledge of the arts permitted. Matthew Paris, who was present at the splendid marriage of Alexander III. with the princess Margaret of England, at York, A. D. 1251, acquaints us, that about sixty barons and knights, and many other gentlemen, who attended the young king of Scotland on that occasion, were elegantly dressed (37).

Diet.

The people of England, in this period, were not more moderate in their diet than in their dress; and the interposition of government was thought necessary to restrain them from excesses in the one as well as in the other. Edward II. issued a proclamation on this subject, A. D. 1216, to the following purpose: “Edward, by  
“ the grace of God, king of England, lord of Ireland,  
“ and duke of Aquitaine, to the sheriffs of London,  
“ wisheth health. Whereas, by the outrageous and ex-  
“ cessive multitude of meats and dishes, which the great  
“ men of our kingdom have used, and still use, in their  
“ castles, and by persons of inferior rank imitating their  
“ example, beyond what their stations require, and  
“ their circumstances can afford, many great evils have  
“ come upon our kingdom, the health of our subjects  
“ hath been injured, their goods have been consumed,  
“ and they have been reduced to poverty: we being  
“ willing to put a stop to these excesses, have, with the  
“ advice and consent of our council, made the following

(86) Barbour, p. 275.

(87) M. Paris, p. 555.



“ rules and ordinances,—*imo*, That the great men of  
 “ our kingdom shall have only two courses of flesh  
 “ meats served up to their tables, each course consisting  
 “ only of two kinds of flesh meat, except prelates,  
 “ earls, barons, and the greatest men of the land, who  
 “ may have an intermeat of one kind, if they please.  
 “ On fish days, they shall have only two courses of fish,  
 “ each consisting of two kinds, with an intermeat of  
 “ one kind, if they please. Such as transgress this or-  
 “ dinance shall be severely punished (88).” This pro-  
 clamations was issued in the time of a deplorable famine,  
 and we may conclude, that, if the prelates and barons  
 indulged themselves in so great a number and variety of  
 dishes at their tables, when the poor were perishing for  
 want around them, they would be still more profuse in  
 times of plenty (89). In the reign of Edward III. A. D.  
 1363, several sumptuary laws were made for regulating  
 the dress and diet of persons of different ranks; and in parti-  
 cular it was enacted, that the servants of gentlemen, mer-  
 chants, and artificers, should have only one meal of flesh  
 or fish in the day, and that their other meal should con-  
 sist of milk, butter, cheese, and such other things as  
 were suitable to their station (90). But a contemporary  
 historian assures us that these laws had no effect, though a  
 severe famine raged at the time (91).

The feasts, in this period, at the coronation of kings,  
 the installation of prelates, the marriages of great ba-  
 rons, and on some other occasions, were exceedingly  
 profuse, the numbers of dishes served up, and of guests  
 entertained, sometimes amounting to many thousands.  
 The coronation-feast of Edward III. cost 2835l. 18s. 2d.  
 equivalent to about 40,000l. of our money (92). At the  
 installation of Ralph abbot of St. Augustine, Canterbury,  
 A. D. 1309, six thousand guests were entertained with  
 dinner, consisting of three thousand dishes, which cost  
 287l. 5s. 0d. equal in efficacy to 4300l. in our times (93).  
 “ It would require a long treatise (says Matthew Paris)  
 “ to describe the astonishing splendour, magnificence,

(88) Ryley's Pleadings in Parliament, p. 542.

(89) Monach. Malm. Vita Ed. II. an. 1316. T. Walsing. n. 108.

(90) Statutes at Large, v. 1. p. 315.

(91) T. Walsing. p. 179.

(92) Annal. de Dunlap. p. 652.

(93) Chron. W. Thorn. col. 2010.

“ and festivity with which the nuptials of Richard earl  
 “ of Cornwall, and Cincia daughter of Reimund earl  
 “ of Provence, were celebrated at London, A. D. 1243.  
 “ To give the reader some idea of it, in a few words,  
 “ above thirty thousand dishes were served up at the  
 “ marriage-dinner (94).” The nuptials of Alexander III.  
 of Scotland, and the princess Margaret of England,  
 were solemnized at York, A. D. 1251, with still greater  
 pomp and profusion. “ If I attempted (says the same  
 “ historian) to display all the grandeur of this solemnity,  
 “ —the numbers of the noble and illustrious guests,—  
 “ the richness and variety of the dresses,—the sumptu-  
 “ ousness of the feasts,—the multitudes of the minstrels,  
 “ mimics, and others whose business it was to amuse  
 “ and divert the company, those of my readers, who  
 “ were not present, would imagine that I was imposing  
 “ upon their credulity. The following particular will  
 “ enable them to form a judgment of the whole. The  
 “ archbishop of York made the king of England a pre-  
 “ sent of sixty fat oxen, which made only one article  
 “ of provision for the marriage-feast, and were all con-  
 “ sumed at that entertainment (25).”

#### Cookery.

The art of cookery was as much cultivated, and much improved, in this period, as any of the other arts. The cook in the *Canterbury Tales* was no mean proficient in his profession :

A coke thei hadde with them for the nones,  
 To boyle the chickens and the marie-bones,  
 And poudre marchaunt, tarte, and galengale :  
 Well couth he know a draught of London ale.  
 He couth roste, boile, grille, and frie,  
 And make mortries, and well bake a pie.  
 For blank-manger that made he with the best (96).

Chaucer, in the *Parson's Tale*, complains of the too laboured and artificial cookery of those times :  
 “ Pride of the table apereth also full ofte : for certes  
 “ riche men be called to festes, and pore folke ben put  
 “ away and rebuked. And also in excess of divers  
 “ metes and drinkes ; and namely such maner bake  
 “ metes and dishe metes brenning of wild fire, peynted

(94) M. Paris, p. 411.

(96) Chaucer's Works, p. 4.

(95) Ibid. p. 555.

“ and castled with paper and samblable waste, so that  
 “ it is abusion to think (97).

One of the most expensive singularities attending the <sup>Intermeats.</sup> royal feasts in this period consisted in what they called intermeats. These were representations of battles, sieges, &c. introduced between the courses, for the amusement of the guests. The French excelled in exhibitions of this kind. At a dinner given by Charles V. of France to the emperor Charles IV. A. D. 1378, the following intermeat was exhibited. A ship with masts, sails, and rigging, was seen first: she had for colours the arms of the city of Jerusalem: Godfrey de Bouillon appeared upon deck, accompanied by several knights armed cap-a-pee: the ship advanced into the middle of the hall, without the machine which moved it being perceptible. Then the city of Jerusalem appeared, with all its towers lined with Saracens. The ship approached the city; the Christians landed, and began the assault; the besieged made a good defence: several scaling ladders were thrown down; but at length the city was taken (98). Intermeats at ordinary banquets consisted of certain delicate dishes, introduced between the courses, and designed rather for gratifying the taste than for satisfying hunger (99).

Persons of rank and fortune, in this period, indulged themselves in a very liberal use of a variety of liquors. Ale and cyder were the most common drinks of the people of England (100). But besides these, great quantities of wines of various kinds were imported. The following lines of a poet who wrote in this period contain an ample enumeration of the wines then known and used in England:

Ye shall have rumney and malespine,  
 Both ypocrasse and vernage wyne;  
 Mountrese and wyne of Greke,  
 Both algrade and despice eke,  
 Antioche and bastarde,  
 Pymment also, and garnarde,  
 Wine of Greke and Muscadell,  
 Both clare, pyment, and rochell (101).

(97) Chaucer's Works, p. 198.

(98) Essays on Paris, vol. 2. p. 71.

(99) Ryley's Placita Parliamentaria, p. 552.

(100) Opera Petrarchi, tom. 3. p. 3.

(101) Warton's Hist. Poet. vol. 1. p. 177.

Some of these liquors, as ypcrafs, pyment, and claret, were compounded of wine, honey, and spices of different kinds, and in different proportions. These were considered as delicacies, and were chiefly used by persons of the highest rank. This appears from the following precepts of Henry III : “ We hereby command you, the keepers of our wines at Winchester, to deliver to Robert de Monte Pessulano, such wines, and in such quantities, as he shall require, of our wines in your custody, to make delicate and precious drinks, for our own use. Witness the king, at Lutegareshall, 26th November 1250.” The other precept contains a more particular description of these delicate drinks : “ We hereby command you, the keepers of our wines at York, that of the best wines in your custody, you deliver to Robert de Monte Pessulano two tons of white wine to make garhiofilac, and one ton of red wine to make claret, for our own use at the approaching feast of Christmas. We command also the said Robert to go with all speed to York, to make the said garhiofilac and claret, as he used to do in former years (102).”

In our present period, people of all ranks made only two stated meals a-day, dinner and supper, the former in the forenoon, the latter in the evening. When Henry duke of Lancaster took Richard II. prisoner in Flint castle, on the morning of August 20, A. D. 1399, he asked the king, Hath your majesty broke your fast ? To which Richard answered, I have not ; for it is too early in the morning. The duke then said, I entreat you to dine immediately ; for you have a long journey to go : and the king, after some hesitation, commanded the table to be covered, and made a short dinner (103). These two meals, and the times at which they were taken, are mentioned in the following lines of Chaucer :

For every day, when Beryn rose, unwash he wold dyne,  
And draw hym to his feleship, as even as a lyne,  
And then come home, and ete and soop, and selepe al nyht (104).

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(102) Walpole's Anecdotes of Painting, vol. 1. p. 2.

(103) Froissart, tom. 4. chap. 110.

(104) Chaucer's Works, p. 603. col. 1.



Kings, princes, and other persons of high rank and great fortunes, commonly took a kind of collation immediately before they went to bed, called *the wines*, consisting of delicate cakes, and wine warmed and mixed with certain spices. Sir John Froissart reckoned it a piece of great good fortune, that he had spent the greatest part of his life in the courts of princes, and thereby had an opportunity of receiving *the wines*, which had contributed much to his comfort and repose. The wines were sometimes given immediately after dinner; and at the ceremonious visits of the great at any hour (105). The following lines contain an enumeration of some of the spices known and used in this period :

There was ike wexing many a spice,  
As clowe, gilofre, and licorice,  
Gingiber, and grein de Paris,  
Canell at setewale of pris,  
And many a spice delitable  
To eten whan men rise fro table (106).

The prevailing amusements of the people of Britain of all ranks, in this period, appear to have been nearly the same with those of their ancestors in the former period, which have been already described. Some of the favourite diversions of the common people of England are mentioned in a proclamation of Edward III. A. D. 1363, and prohibited, because they prevented them from exercising archery. "In former times, the people of our kingdom, at their hours of play, commonly exercised themselves in archery, from which we derived both honour and advantage. But now that art is neglected, and the people spend their time in throwing stones, wood, or iron; in playing at the hand-ball, foot-ball, or club-ball; in bull-baiting and cock-fighting, or in more useles and dishonest games (107)." A similar proclamation was issued two years after, in which the same games are mentioned (108). Wrestling for a ram is described by Chaucer, and seems to have been a common diversion in those times (109). A famous wrestling-match, A. D. 1222,

(105) Froissart, tom. 2. chap. 81.; tom. 3. chap. 59. 84.

(106) Chaucer's Work, p. 224. col. 2.

(107) Rym. Fæd. tom. 6. p. 417. (108) Id. p. 468.

(109) Chaucer's Works, p. 5. 40.

between the citizens of London on one side, and the inhabitants of Westminster and the neighbouring country on the other, for a ram, terminated in a real battle, in which much blood was spilt, and the Londoners were put to flight (110). By dishonest games in the proclamations of Edward III. we are probably to understand such games of chance as cross and pile, &c. to which the common people, and some of their superiors, were even then too much addicted. That weak and frivolous prince, Edward II. spent both his time and money in these trifling amusements, as appears from the following curious articles of account: “Item, Paid there to Henry, “the king’s barber, for money which he lent to the “king to play at cross and pile, five shillings. Item, Paid “there to Piers Bernard, usher of the king’s chamber, “money which he lent to the king, and which he lost “at cross and pile to monsieur Robert Wattewille, “eight pence (111).

Tourna-  
ments.

As a general account of tournaments, the favourite diversions of the great and brave in the middle ages, hath been already given, a brief description of one, out of many that were celebrated in Britain in this period, will be sufficient to give the reader a distinct idea of those renowned amusements. For this purpose I shall make choice of that which was held at London in October A. D. 1389 (112). Richard II. his three uncles, and his great barons, having heard of a famous tournament at Paris, at the entry of Isabel queen of France, resolved to hold one of equal splendour at London, in which sixty English knights, conducted to the scene of action by sixty ladies, should challenge all foreign knights. They sent heralds into all parts of England, Scotland, Germany, Italy, Flanders, Brabant, Hainault, and France, to proclaim the time, place, and other circumstances of the intended tournament, and to invite all valorous knights and squires to honour it with their presence. This (says the historian) excited a vehement desire in the knights and squires of all these countries to go to this tournament, some to see the manners and equipages of the English, and others to tourney. In the mean time, the lists

(110) M. Paris, ad an. 1222.

(111) Antiquarian Repertory, vol. 2. p. 58.

(112) See vol. 3.

were prepared in Smithfield, and chambers erected around them, for the accommodation of the king, queen, princes, lords, ladies, heralds, and other spectators. When the time approached, prodigious numbers of great persons of both sexes, attended by numerous retinues, arrived in London. On the first Sunday of October, which was the first day of the tournament, between two and three o'clock afternoon, sixty fine horses, with rich furniture, for the jousts, issued one by one from the tower, each conducted by a squire of honour, and proceeded in a slow pace, through the streets of London to Smithfield, attended by a numerous band of trumpeters and other minstrels. Immediately after, sixty young ladies, richly dressed, riding on palfries, issued from the same place, and each lady leading a knight completely armed, by a silver chain, they proceeded slowly to the field. When they arrived there, the ladies were lifted from their palfries, and conducted to the chambers provided for them; the knights mounted their horses, and began the jousts, in which they exhibited such feats of valour and dexterity as excited the admiration of the spectators. When the approach of night put an end to the jousts, the company repaired to the palace of the bishop of London, in St. Paul's street, where the king and queen then resided, and the supper was prepared. The ladies, knights, and heralds, who had been appointed judges, gave one of the prizes, a crown of gold, to the earl of St. Paul, as the best performer among the foreign knights, and the other, a rich girdle, adorned with gold and precious stones, to the earl of Huntington, as the best performer of the English. After a sumptuous supper, the ladies and knights spent the whole night in dancing. The tournaments, with nearly the same solemnities, were continued on Monday, Tuesday, Wednesday, Thursday, and Friday. On Saturday, the court, with all the company, removed to Windsor, where the jousts, feasting, and other diversions, were renewed, and lasted several days. At length, the king, having presented the foreign ladies, lords, and knights, with valuable gifts, they returned to their several countries, highly pleased with the entertainment they had received (113). This was

evidently more splendid and more expensive than any of the diversions of the present age. These tournaments were admirably calculated to inflame the young nobility and gentry with an ardent desire of excelling in martial exercises, as they gave them an opportunity of displaying their accomplishments in the most public manner, and thereby acquiring the applause of the great and the favour of the fair.

Dancing.

Dancing was a favourite diversion on all festive occasions in this period; and persons of the highest rank and gravest characters did not disdain to mingle in the dance. It appears, from the record of the coronation of Richard II. that after the coronation-dinner, the king, prelates, nobles, knights, and the rest of the company, spent the afternoon in dancing in Westminster-hall, to the music of the minstrels (114).

Disguising.

Mummeries and disguisings, the masquerades of the middle ages, were introduced in this period. They are mentioned by Matthew Paris, in his account of the marriage of Alexander III. of Scotland, with the princess of England, at York, A. D. 1252, and made commonly a part of the diversions at the great festivals in the courts of kings in those times (115). In the year 1348, eighty tunics of buckram, forty-two visors, and a great variety of other whimsical dresses, were provided for the disguisings at court at the feast of Christmas (116). A most magnificent mummer or disguising was exhibited by the citizens of London, A. D. 1377, for the amusement of Richard prince of Wales, in which no fewer than one hundred and thirty persons were disguised (117). A most fatal accident happened at one of these mummeries at the court of France, A. D. 1388. Charles VI. who was then young and frolicsome, and five young noblemen, appeared like savage men, clothed in robes of linen, exactly fitted to their bodies, covered from head to foot with a representation of long hair, made of linen threads fixed to their linen robes with pitch. A flambeau accidentally set fire to the counterfeit hair of one of these seeming savages, and in a moment, five of them, who were near each other, were all in flames. Four of them

(114) Rym. Fed. tom. 7. p. 160. col. 2.

(115) M. Paris, ad. ann. 1252.

(116) Warton's Hist. Poet. vol. 1. p. 238.

(117) Stow's Survey of London, p. 71. quarto, A. D. 1599.



were burnt to death, and the fifth preserved his life by throwing himself into a large vessel full of water, which happened to be near: the king was saved by being fortunately at a little distance (118). At these great festivals, the whole company sometimes wore masks; and on these occasions no regard, it is said, was paid to decency (119).

Pageants, at the triumphant entries of princes into their capitals, were not unknown in this period. The citizens of London expended great sums on pageants, as well as in presents, at the public entry of Richard II. and his queen, A. D. 1392 (120). Those exhibited at Paris, at the entry of Isabel of Bavaria, queen to Charles VI. were numerous and magnificent, but strongly tinged with the gross superstition of the age. When the queen approached the gate of St. Dennis in her litter, she beheld a representation of heaven, with clouds and stars, and many children, in imitation of angels, singing most melodiously, and in the midst of them an image of the Virgin Mary, with the infant in her arms, playing with a little mill made of a large nut. At the next gate she beheld another heaven, more glorious than the first, in which were many angels singing, and an image of God the Father, Son, and Holy Ghost, sitting in Majesty on his throne. When she came near the gate two angels descended and placed a crown of gold, adorned with precious stones, upon her head, and then ascended, singing certain verses in her praise (121).

At grand festivals, the palaces of princes, and the castles of great barons, were crowded with hundreds of minstrels, mimics, jugglers, tumblers, rope-dancers, &c. who exhibited, in their different ways, for the amusement of the company. Some of their exhibitions were abundantly ridiculous. At one time, for example, a horse danced upon a rope, and two oxen rode upon horses, and sounded trumpets (122).

The fondness of princes, nobles, and gentlemen, for the sports of the field, was as great in this as it had been in the former period. These sports were the chief joy and business of their lives; horses, hounds, and hawks, were the favourite topics of their conversation; and some

(118) Froissart, tom. 4. ch. 52.

(119) *Memoires sur la Chevalerie*, tom. 2. p. 68.

(120) Knyghton, col. 2740.

(121) Froissart, tom. 4. ch. 2.

(122) *Memoires sur la Chevalerie*, tom. 1. p. 247. M. Paris, an. 1236.

of them, we are told, kept no fewer than sixteen hundred dogs for the chase (123). A royal hunting was as splendid, and almost as expensive, as a royal tournament. When the kings of France, Scotland, and Cyprus, were in England, A. D. 1363, Edward III. proclaimed a royal hunting, to which he invited those kings, all the French hostages, and all his own nobility. If we reflect on the number and quality of the persons invited, the greatness of their retinues, and their fondness for this kind of sport, we may form some idea of the magnificence of this hunting. The scenes of this famous sport were, the forests of Rogyngan, Clyne, Schyrewood, and several other forests, woods, and chaces, from which we may conclude, that it continued a considerable time (124). Wolves were not extirpated out of England so early as is commonly believed. This appears from a commission granted by Edward I. A. D. 1281, to his faithful and well-beloved servant Peter Corbet, to hunt and destroy all the wolves he could find in the counties of Gloucester, Worcester, Hereford, Salop, and Stafford (125).

Theatrical  
diversions.

There is sufficient evidence, that certain amusements or sports, which are called by the historians of those times *theatrical*, were known and admired in this period. The monk of Malmesbury, who wrote the life of Edward II. acquaints us, that Walter Reynolds, made archbishop of Canterbury A. D. 1214, was not a man of much learning; but that he had gained the favour of the king by his great skill in theatrical plays, of which he was superintendent (126). But those theatrical exhibitions were probably no other than the awkward representations of scripture-histories, which were called *mysteries* and *miracles*, and have been already described (127). These mysteries were originally a kind of religious, or rather superstitious ceremonies, exhibited in monasteries and churches, by the monks and clergy; but they afterwards became also secular amusements, and were acted by the laity. The most interesting historical passages, both of the Old and New Testament, were represented, at Chester, A. D. 1327, at the expence of the different incorporated companies of that city, and probably by the members of these compa-

(123) Froissart, tom. 4. ch. 27.

(124) Knyghton, col. 2627.

(125) Rym. Fœd. tom. 2. p. 168.

(126) Monach. Malm. Vit. Ed. II. p. 142.

(127) See vol. 3.

tics and their servants. In the mystery of the creation, which was acted by the drapers, the persons who represented Adam and Eve appeared quite naked, without blushing themselves, or giving any offence to the spectators (128). The mystery of the deluge, which was acted by the dyers, contained a violent altercation between Noah and his wife, who absolutely refused to enter the ark; and when she was forced into it, gave her husband a hearty blow on the ear (129). Moralities were a kind of interludes, in which the virtues and vices, the human faculties and passions, &c. were personified, and speeches formed for them, illustrating and recommending a certain moral.

The words *comedy* and *tragedy* occur in some of the authors of this period: but it plainly appears, that by comedies they meant only pleasant facetious stories, calculated to produce laughter; and by tragedies, tales of woe, adapted to excite terror, grief and pity. Many of Chaucer's Canterbury Tales are in the facetious strain, and are therefore called comedies; some of them are mournful stories, and are called tragedies. He gives this last name to his poem of *Troilus and Cressida*: Tragedies and comedies.

Go, litil boke, go litil tragedie,  
There God my makir, yet er that I die,  
So sende me might to make sonie comedie (130).

Tragedy is thus described by Chaucer's monk in the prologue to his tale:

Tragedy is to tell a certaine story,  
As olde bokis maken ofte memory,  
Of hem that stode in grete prosperity,  
And be fallin out of ther hie degre  
In to misery, and endid wretchedly;  
And thei ben versifyid comenly,  
Of sixe fete whiche men clepen hexametron:  
In prose eke ben enditid many one,  
And in metre, many a fondry wile,  
Lo! this ought enough you for to suffice (131).

The monk proposed to tell a few tragedies, of which he had one hundred in his cell; and his tale accordingly con-

(128) Warton's Hist. Poet. vol. 1. p. 143.

(129) Id. vol. 2. p. 179.

(130) Chaucer's Works, p. 332.

(131) Ibid. p. 161.

sists of seventeen short stories of persons who had fallen from great prosperity into great adversity.

Tragetours  
or jugglers.

Tragetours, as they were then called, or jugglers, contributed to the amusement of those who could afford to pay them for their exhibitions, which tended to excite surprise and admiration, by certain tricks and appearances which imposed upon the senses of the spectators. Several of these exhibitions are described by Chaucer, of which it will be sufficient to produce one example :

For I am sikir there be sciences,  
By which men make divers appearances,  
Soche as these sotill tragetores plaie ;  
For oft at festis have I well herd saie,  
That tragitors within an halle large,  
Have made to come in watir and a barge,  
And in the halle rowin up and down ;  
Sometime hath semid come a grim lioun ;  
And sometime flouris spring as in a mede ;  
Sometimes a vine, and grapis white and rede ;  
Sometimes a castill alle of lime and stone,  
And whan 'hem likid voidin 'hem anon ;  
Thus semid it to every mann'is sight (132).

Games of  
chance.

Games of chance appear to have been nearly the same in this and the preceding period, and to have been pursued with equal ardour in both. Cards, which have long been the chief instruments of gaming, both for gain and for amusement, were invented towards the conclusion of the fourteenth century, by Jaquemin Gringonneur, a painter in Paris ; but as I have met with no evidence that they were used in Britain before the end of our present period, their history must be referred to the seventh chapter of the fifth book of this work (133).

(132) Chaucer's Works, p. 110, 111.

(133) Essays upon Paris, vol. 1. p. 228.



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# A P P E N D I X

T O T H E

## F O U R T H B O O K.

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### N U M B E R I.

Magna Carta Regis Henrici III. xii die Novembris MCCXVI, anno regni i.

**H**ENRICUS Dei Gratia Rex Anglie Dominus Hybernice Dux Normannie Aquitanie et comes Andegavie archiepiscopis episcopis abbatibus comitibus baronibus justiciariis forestariis vicecomitibus prepositis ministris ballivis et omnibus fidelibus suis salutem Sciatis nos intuitu Dei et pro salute anime nostre et omnium antecessorum et successorum nostrorum ad honorem Dei et exaltationem sancte ecclesie et emendationem regni nostri per consilium venerabilium patrum nostrorum domini Gualonis titulo sancti Martini presbiteri cardinalis apostolice sedis legati Petri Wint' R. de sancto Asapho J. Bathon' et Glaston' S. Exon' R. Cicestr' W. Coventr' B. Roff' H. Landav' Menevens' Bangor' et S. Wygorn' episcoporum et nobilium virorum Willielmi Mare-scalli comitis Penbroc' Ranulfi comitis Cestr' Willielmi de Ferrat' comitis Dereb' Willielmi comitis Albemarle Huberti de Burgo justiciarii nostri Savarici de Malo Leone Willielmi Brigwerr' patris Willielmi Brigwerr' filii Roberti de Curtenai Falkefi de Breante Reginaldi de Vautort Walteri de Lascey Hugonis de Mortuo Mari Johannis de Monemute Walteri de Bello Campo Walteri de Clifford Roberti de Mortuo Mari Willielmi de Cantilup'

No. I. filius Mathei filii Hereberti Johannis Mariscalli Alani Basset  
 Philippi de Albiniaco Johannis Extranei et aliorum fidelium nostrorum  
 1 Inprimis concessisse Deo et hac presenti carta nostra confirmasse pro nobis et heredibus nostris in perpetuum quod Anglicana ecclesia libera sit et habeat jura sua integra et libertates suas illesas Concessimus etiam omnibus liberis hominibus regni nostri pro nobis et heredibus nostris in perpetuum omnes libertates subscriptas habendas et tenendas eis et heredibus suis de nobis et  
 2 heredibus nostris Si quis comitum vel baronum nostrorum sive aliorum tenentium de nobis in capite per servitium militare mortuus fuerit et cum decesserit heres suus plene etatis fuerit et reliquum debeat habeat hereditatem suam per antiquum relevium scilicet heres vel heredes comitis de baronia comitis integra per centum libras heres vel heredes baronis de baronia integra per centum libras heres vel heredes militis de feodo militis integro per centum solidos ad plus et qui minus debuerit minus det secundum antiquam consuetudinem feodorum Si autem heres alicujus talium fuerit infra etatem dominus ejus non habeat custodiam ejus nec terre sue antiquam homagium ejus ceperit et postquam talis heres fuerit in custodia cum ad etatem pervenerit scilicet viginti unius ann' habeat hereditatem suam sine relevio et sine fine ita tamen quod si ipse dum infra etatem fuerit fiat miles nichilominus terra remaneat in custodia domini sui usque ad terminum predictum Custos  
 4 terre hujusmodi heredis qui infra etatem fuerit non capiat de terra heredis nisi rationabiles exitus et rationabiles consuetudines et rationabilia servicia et hoc sine destructione et vasto hominum vel rerum et si nos commiserimus custodiam alicujus talis terre vicecomiti vel alicui alii qui de exitibus terre illius nobis respondere debeat et ille destructionem de custodia fecerit vel vastum nos ab illo capiemus emendam et terra committatur duobus legalibus et discretis hominibus de feodo illo qui de exitibus nobis respondeant vel ei cui illos assignaverimus et si dederimus vel vendiderimus alicui custodiam alicujus talis terre et ille destructionem inde fecerit vel vastum amittat ipsam custodiam et tradatur duobus legalibus et discretis hominibus de feodo illo  
 5 qui similiter nobis respondeant sicut predictum est Custos autem quamdiu custodiam terre habuerit sustentet domos parcos vivarios stagna molendina et cetera ad illam terram pertinentia de exitibus terre ejusdem et reddat heredi cum ad plenam etatem pervenerit terram suam totam insauratam de carrucis et omnibus aliis rebus ad minus secundum quod illam recepit Hec omnia observentur de custodiis archiepiscopatum episcopatum abbatiarum prioratum ecclesiarum et dignitatum vacantium excepto  
 6 quod custodie hujusmodi vendi non debent Heredes maritentur  
 7 absque disparagatione Vidua post mortem mariti sui statim et sine difficultate aliqua habeat maritum suum et hereditatem suam nec aliquid det pro dote sua vel pro maritaggio vel

vel hereditate sua quam hereditatem maritus suus et ipsa tenuerint die obitus ipsius mariti et maneat in domo mariti sui per quadraginta dies post mortem ipsius mariti sui infra quos ei assignetur dos sua nisi prius ei fuerit assignata vel nisi domus illa sit castrum et si de castro receiserit statim provideatur ei domus competens in qua possit bene morari quousque dos sua ei assignetur secundum quod predictum est Nulla vidua distringatur ad se maritandum dum voluerit vivere sine marito ita tamen quod securitatem faciat quod se non maritabit sine assensu nostro si de nobis tenuerit vel sine assensu domini sui si de alio tenuerit Nos vero vel ballivi nostri non faciemus terram aliquam nec redditum pro debito aliquo quamdiu catalla debitoris presentia sufficiunt ad debitum reddendum et ipsi debitor paratus sit inde satisfacere nec plegii ipsius debitoris distringantur quamdiu ipse capitalis debitor sufficiat ad solutionem debiti et si capitalis debitor defecerit in solutione debiti non habens unde reddat aut reddere nolit cum possit plegii respondeant de debito et si voluerint habeant terras et redditus debitoris quousque sit eis satisfactum de debito quod ante pro eo solverint nisi capitalis debitor monstraverit se inde esse quietum versus eosdem plegios Civitas London' habeat omnes antiquas libertates et liberas consuetudines suas Preterea volumus et concedimus quod omnes alie civitates et burgi et ville et barones de quinque portubus et omnes portus habeant omnes libertates et liberas consuetudines suas Nullus distringatur ad faciendum majus servitium de feodo militis nec de alio libero tenemento quam inde debetur Communia placita non sequantur curiam nostram sed teneantur in aliquo certo loco Recognitiones de nova disseisina de morte antecessoris de ultima presentatione non capiantur nisi in suis comitatibus et hoc modo Nos vel si extra regnum fuerimus capitalis justiciarius noster mittemus duos justiciarios per unumquemque comitatum per quatuor vices in anno qui cum quatuor militibus cujuslibet comitatus electis per comitatum capiant in comitatu in die et loco comitatus assisas predictas Et si in die comitatus assise predictae capi non possint tot milites et libere tenentes remaneant de illis qui interfuerint comitatui die illo per quos possint sufficienter judicia fieri secundum quod negotium fuerit majus vel minus Liber homo non amercietur pro parvo delicto nisi secundum modum ipsius delicti et pro magno delicto secundum magnitudinem delicti salvo contemento suo et mercator eodem modo salva mercandisa sua et villanus eodem modo amercietur salvo wainnagio suo si inciderit in misericordiam nostram et nulla predictarum misericordiarum ponatur nisi per sacramentum proborum et legalium hominum de visneto Comites et barones non amercientur nisi per pares suos et non nisi secundum modum delicti Nullus clericus amercietur nisi secundum forum predictorum et non secundum quantitatem beneficii sui ecclesiastici Nec villa nec homo distringatur

No. I. tur facere pontes ad riparias nisi qui ab antiquo et de jure facere debet Nullus vicecomes constabularius coronatores vel alii  
 19 ballivi nostri teneant placita corone nostre Si aliquis tenens de  
 20 nobis laicum feodum moriatur et vicecomes vel ballivus noster ostendat literas nostras patentes de summonitione nostra de debito quod defunctus nobis debuit liceat vicecomiti vel ballivo nostro attachiare et imbreviare catalla defuncti inventa in laico feodo ad valentiam illius debiti per visum legalium hominum ita tamen quod nichil inde amoveatur donec persolvatur nobis debitum quod clarum fuerit et residuum relinquatur executoribus ad faciendum testamentum defuncti et si nichil nobis debeatur ab ipso omnia catalla cedant defuncto salvis uxori ipsius et pueris suis rationabilibus partibus suis Nullus constabularius vel ejus ballivus capiat blada vel alia catalla alicujus qui non sit de villa ubi castrum suum est nisi statim inde reddat denarios aut respectum inde habere possit de voluntate venditoris si autem de villa fuerit teneatur infra tres septimanas precium reddere Nullus constabularius distringat aliquem militem ad dandum denarios pro custodia castri si ipse eam facere voluerit in propria persona sua vel per alium probum hominem si ipse eam facere non possit propter rationabilem causam et si nos duxerimus vel miserimus eum in exercitum erit quietus de custodia secundum quantitatem temporis quo per nos fuerit in exercitu Nullus vicecomes vel ballivus noster vel alius capiat equos vel carectas alicujus pro cariagio faciendo nisi reddat liberationem antiquitus statutam scilicet pro carecta ad duos equos decem denarios per diem et  
 24 pro carecta ad tres equos quatuordecim denarios per diem Nec nos nec ballivi nostri capiemus alienum boscum ad castra vel alia agenda nostra nisi per voluntatem ipsius cujus bosculus ille  
 25 fuerit Nos non tenebimus terras eorum qui convicti fuerint de feloniam nisi per unum annum et unum diem et tunc reddantur terre dominis feodorum Omnes kydelli de cetero deponantur  
 26 penitus per Thamisiā et Medeweiam et per totam Angliam nisi per costeram maris Breve quod vocatur Precipe de cetero  
 27 non fiat alicui de aliquo tenemento unde liber homo amittere possit curiam suam Una mensura vini sit per totum regnum  
 28 nostrum et una mensura cervisie et una mensura bladi scilicet quarterium London' et una latitudo panorum tinctorum et ruffetorum et haubergettorum scilicet due ulne infra listas De ponderibus autem sit ut de mensuris Nichil detur de cetero pro  
 29 brevi inquisitionis de vita vel membris sed gratis concedatur et non negetur Si aliquis teneat de nobis per feodifirmam vel sokagium vel per burgagium et de alio terram teneat per servitium militare nos non habebimus custodiam heredis nec terre sue que est de feodo alterius occasione illius feodifirme vel sokagii vel burgagii nec habebimus custodiam illius feodifirme vel sokagii vel burgagii nisi ipsa feodifirma debeat servitium militare Nos non habebimus custodiam heredis vel terre alicujus quam tenet de  
 alio



	No. I.
alio per servitium militare occasione alicujus parve ferganterie quam tenet de nobis per servitium reddendi nobis cultellos vel sagittas vel hujusmodi Nullus ballivus ponat de cetero aliquem ad legem simplici loquela sua sine testibus fidelibus ad hoc inductis Nullus liber homo capiatur vel imprisonetur aut disseisnatus aut utlagetur aut exulet aut aliquo alio modo destruat nec super eum ibimus nec super eum mittemus nisi per legale iudicium parium suorum vel per legem terre Nulli vendemus nulli negabimus aut differemus rectum aut iusticiam Omnes mercatores nisi publice ante prohibiti fuerint habeant saluum et securum exire de Anglia et venire in Angliam et morari et ire per Angliam tam per terram quam per aquas ad emendum et vendendum sine omnibus malis tollis per antiquas et rectas consuetudines preterquam in tempore guerre et si sint de terra contra nos guerrina et si tales inveniuntur in terra nostra in principio guerre attachientur sine dampno corporum vel rerum donec sciatur a nobis vel a capitali iusticiario nostro quomodo mercatores terre nostre tractentur qui tunc inveniuntur in terra contra nos guerrina et si nostri salvi sint ibi alii salvi sint in terra nostra Si quis tenuerit de aliqua escaeta sicut de honore Walingeford Notingham Botos' Lancaster vel de aliis escaetis que sunt in manu nostra et sunt baronie et obierit heres ejus non det aliud relevium nec faciat nobis aliud servitium quam faceret baroni si terra illa esset in manu baronis et nos eodem modo eam tenebimus quo baro eam tenuit Homines qui manent extra forestam non veniant de cetero coram iusticiariis nostris de foresta per communes summonitiones nisi sint in placito vel plegii alicujus vel aliquorum qui attachiati sunt pro foresta Omnes barones qui fundaverint abbatias unde habent cartas regum Anglie vel antiquam tenuram habeant earum custodiam cum vacaverint sicut habere debent et sicut supra declaratum est Omnes foreste que afforestatione sunt tempore regis Jhannis patris nostri statim deafforestatione et ita fiat de ripariis que per eundem Johannem tempore suo posite sunt in defenso Nullus capiatur vel imprisonetur propter appellum femine de morte alterius quam viri sui Et si Rex Johannes pater noster dissaisierit vel elongaverit Wallenses de terris vel libertatibus vel aliis rebus sine legali iudicio parium suorum in Anglia vel in Wallia eis statim reddantur et si contentio super hoc orta fuerit tunc inde fiat in marchia per iudicium parium suorum de tenementis Anglie secundum legem Anglie de tenementis Wallie secundum legem Wallie de tenementis marchie secundum legem marchie idem facient Wallenses nobis et nostris Omnes autem istas consuetudines predictas et libertates quas nos concessimus in regno nostro tenendas quantum ad nos pertinet erga nostros omnes de regno nostro tam clerici quam laici observent quantum ad se pertinet erga suos Quia vero quedam capitula in priore carta continebantur que	31 32 33 34   35  36 37  38 39 40  41 42

gravia

No. I. *gravia et dubitabilia videbantur scilicet de scutagiis et auxiliis assidendis de debitis Judeorum et aliorum et de libertate exaudi de regno nostro vel redeundi in regnum et de forestis et forestariis warennis et warrennariis et de consuetudinibus comitatum et de ripariis et earum custodibus placuit supradictis prelati et magnatibus ea esse in respectu quosque plenius consilium habuerimus et tunc faciemus plenissime tam de his quam de aliis que occurrerint emendanda que ad communem omnium utilitatem pertinuerint et pacem et statum nostrum et regni nostri Quia vero sigillum nondum habuimus presentem cartam sigillis venerabilis patris nostri Domini Gualonis titulo Sancti Martini presbiteri cardinalis apostolice sedis legati et Willielmi Mariscalli Comitis Penbrok' rectoris nostri et regni nostri fecimus sigillari Testibus omnibus prenomatis et aliis multis Dat' per manus predictorum domini legati et Willielmi Mariscalli Comitis Penbr' apud Bristollum duodecimo die Novembris anno regni nostri primo.*

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## N U M B E R II.

Translation of the Great Charter of King Henry III.  
granted November 12th, A. D. 1216, in the first  
Year of his Reign.

**H**ENRY, by the grace of God, King of England, Lord of Ireland, duke of Normandy and Aquitaine, and Earl of Anjou, to all his archbishops, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, commanders, officers, bailiffs, and all his faithful subjects, *wiseth* health. Know ye, that we, from our regard to God, and for the salvation of our own soul, and of the souls of all our ancestors and successors, to the honour of God, and the exaltation of holy church, and amendment of our kingdom, by the advice of our venerable fathers, Gualo, cardinal presbyter, by the title of St. Martin's, legate of the apostolic see, Peter of Winchester, R. of St. Asaph, J. of Bath and Glastonbury, S. of Exeter, R. of Chichester, W. of Coventry, B. of Rochester, H. of Landaff,—of St. David's, —of Bangor, and S. of Worcester, bishops; and of these noblemen, William Marischal earl of Pembroke, Ralf earl of Chester, William de Ferrars earl of Derby, William earl of Albemarle,

Albemarle, Hubert de Burgh, our chief justiciary, Savary of No. II.  
 Meaulne, William Brigwere the father, William Brigwere  
 the son, Robert de Courtenay, Fawks de Breante, Reginald de  
 Vautort, Walter de Lasey, Hugh Mortimere, John de Mon-  
 mouth, Walter Beauchamp, Walter Clifford, Robert Morti-  
 mer, William de Cantelupe, Matthew Fitz-herbert, John Ma-  
 rischal, Allan Basset, Philip de Albiniaco, John Stranger, and  
 others of our faithful subjects, have granted to God, and by  
 this our present charter, have confirmed, for us, and our heirs  
 for ever: — First, — That the church of England shall be  
 free, and shall have her whole rights entire, and her liberties  
 inviolated. We have also granted to all the free-men of our  
 kingdom, all the underwritten liberties, to be enjoyed and held  
 for ever by them and their heirs, of us and our heirs. — If  
 any of our earls, or barons, or others, who hold of us in chief  
 by military service, shall die, and at his death his heir shall be  
 of full age, and shall owe a relief, he shall have his inheritance  
 for the ancient relief, viz. the heir or heirs of an earl, a whole  
 earl's barony, for one hundred pounds; the heir or heirs of a  
 baron, a whole barony, for one hundred pounds; the heir or  
 heirs of a knight, a whole knight's fee, for one hundred shillings  
 at most; and he who owes less shall give less, according to  
 the ancient custom of fees. — But if the heirs of any such  
 be under age, his lord shall not have the custody of his land  
 till he hath accepted his homage; and after such an heir hath  
 been in wardship, when he hath attained the age of one and  
 twenty, he shall have his inheritance, without relief, and with-  
 out fine, but so, that though he shall be made a knight while  
 he is under age, his land shall remain in the custody of his lord  
 till the aforesaid term. — The warden of the lands of such  
 an heir who is under age, shall not take of the lands of that  
 heir any but reasonable issues, and reasonable customs, and rea-  
 sonable services; and that without destruction or waste of the  
 men or goods; and if we commit the custody of any such land  
 to a sheriff, who is bound to answer to us for the issues of them,  
 and he shall make destruction or waste upon the lands in his  
 custody, we will recover damages from him, and the lands  
 shall be committed to two legal and discreet men of that fee,  
 who shall answer for the issues to us, or to him to whom we  
 have assigned them; and if we shall have granted or sold to  
 any one the custody of any such lands, and he shall have made  
 destruction or waste, he shall lose the custody, and it shall be  
 committed to two legal and discreet men of that fee, who shall  
 answer to us as aforesaid. — Besides, the warden, as long  
 as he hath the custody of the lands, shall keep in order the  
 houses, parks, warrens, ponds, mills, and other things belong-  
 ing to them, out of their issues; and shall deliver to the heir,  
 when

No. II.

when he is at age, his whole lands, provided with ploughs, and all other things, at least as well as when he received them. All these rules shall be observed in the custody of archbishoprics, bishoprics, abbacies, priories, and vacant ecclesiastical dignities, except that the custody of such shall not be sold. —

- 6 7 Heirs shall be married without disparagement. — A widow, after the death of her husband, shall, immediately and without difficulty, have her marriage-goods and her inheritance; nor shall she pay any thing for her dower, or her marriage-goods, or her inheritance, which her husband and she had on the day of his death: and she may remain forty days in her husband's house after his death, within which time her dower shall be assigned her, if it had not been assigned before, unless that house be a castle; and if she remove from the castle, a competent house shall immediately be provided for her, in which she may live decently, until her dower shall be assigned her,
- 8 as aforesaid. — No widow shall be compelled to marry, while she chuses to live without a husband; but so that she shall give security that she will not marry without our consent, if she holds of us, or without the consent of her lord, if she holds of another. —
- 9 Neither we nor our bailiffs shall seize any land or rent for any debt, while the chattels of the debtor are sufficient for the payment of the debt, and the debtor is willing to pay it; nor shall the sureties of the debtor be distrained while the principal debtor is able to pay the debt; and if the principal debtor fail in the payment of the debt, not being able to pay it, or not willing when he is able, the sureties shall answer for the debt; and if they please they shall have the lands and rents of the debtor, until satisfaction be made to them for the debt which they had before paid for him, unless the principal debtor can shew that he is discharged from it by the said sureties. —
- 10 The city of London shall have all its ancient liberties and free customs. We also will and grant, that all other cities, burghs, and towns, the barons of the cinque ports, and all other ports,
- 11 shall have all their liberties and free customs. — Let no man be compelled to do more service for a knight's fee, or for any other free tenement, than what is due from thence. —
- 12 Common pleas shall not follow our court, but be held in some certain place. —
- 13 Assizes of mortdancer, novel disseisin, and darrein presentment, shall not be taken but in their own counties, and in this manner. We, or, if we are out of the kingdom, our chief justiciary, shall send two justiciaries into each county, four times a year, who, with four knights of each county, chosen by the county, shall take the fore-said assizes, within the county, at the time and place of the county-court, — And if the fore-said assizes cannot be taken on the day of
- 14 the county-court, let as many knights and freeholders, of those who



who were present at the county-court, remain as may be sufficient to take these assizes, according to their importance. —  
 A freeman shall not be amerced for a small offence, but only according to the degree of the offence; and for a greater delinquency, saving his freehold; a merchant in the same manner, saving his merchandise; and a villain, saving his implements of husbandry. — If they fall into our mercy, none of the foresaid amercedments shall be assessed but by honest men of the vicinage. — Knights and barons shall not be amerced but by their peers, and that only according to the degree of their delinquency. — No clerk shall be amerced but according to the form aforesaid, and not according to the quantity of his ecclesiastical benefice. — Neither a town nor a particular person shall be compelled to build bridges over rivers, except those who anciently and of right are bound to do it. — No sheriffs, commanders of castles, coroners or other bailiffs of ours, shall hold pleas of our crown. — If any one holding of us a lay fee dies, and our sheriff or bailiff shall shew our letters patent of summons for a debt which the defunct owed to us, it shall be lawful for our sheriff or bailiff to attach and register the chattels found on that fee at the sight of lawful men, so that nothing shall be removed from thence until our debt which is clearly due to us is paid; and the residue shall be left to the executors, to fulfil the last-will of the defunct; and if nothing shall be owing to us by him, let all the chattels fall to the defunct, saving to his wife and children their reasonable shares. — No commander of castle, or his bailiff, shall take the corns or goods of any one who doth not belong to the town where his castle is, without immediately paying money for them, unless he can obtain a respite with the free consent of the seller; but if he do not belong to that town, he shall be obliged to pay the price within three weeks. — No commander of castle shall compel any knight to give money for castle-guard, if he is willing to perform it in his own person, or by another sufficient man, if he cannot perform it himself, for a reasonable cause; and if we shall have carried or sent him into the army, he shall be free from castle-guard, according to the space of time he shall have been in the army by our command. — No sheriff or bailiff of ours, or of another, shall take the horses or carts of any one to perform carriage, unless he pay the price anciently fixed by the statute, viz. for a cart with two horses ten pence a-day, and for a cart with three horses fourteen pence a-day. — Neither we nor our bailiff shall take another man's wood for our castles, or other uses, without the consent of him, to whom the wood belongs. — We shall not retain the lands of those who have been convicted of felony, longer than one year and one day, and then they shall be given up to the lord of the fee. — All wears for the future shall be quite removed

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No. II. out of the Thames, the Medway, and through all England, except on the sea-coast. — The writ which is called *precipe*,  
 27 for the future, shall not be granted to any one, concerning any  
 28 tenement, by which a freeman may lose his court. — There shall be one measure of wine through all our kingdom, and one measure of ale, and one measure of corn, viz. the quarter of London; and one breadth of dyed cloth, and of ruffs, and of halberjects, viz. two ells within the lists. It shall be the  
 29 same with weights as with measures. — Nothing shall be given, for the future, for the writ of inquisition of life and limb; but it shall be given gratis, and not denied. — If any hold  
 30 of us by fee-farm, or soccage, or burgage, and holds an estate of another by military service, we shall not have the custody of the heir, or of his land, which is of the fee of another, on account of that fee-farm, or soccage, or burgage; nor shall we have the custody of that fee-farm, soccage, or burgage land, unless it owes military service. We shall not have the custody of the heir or of the land of any one, which he holds of another, by military service, on account of any petty sergeantry, which he holds of us, by the service of giving us knives or arrows, or  
 31 the like. — No bailiff, for the future, shall put any man to his law, upon a verbal complaint, without credible witnesses  
 32 produced to that effect. — No freeman shall be seized or imprisoned, or disseised, or outlawed, or banished, or in any other way destroyed, nor will we go upon him, nor will we send upon him, except by the legal judgment of his peers, or by the  
 33 law of the land (a). — To none will we sell, to none will we deny, to none will we delay right and justice. — All  
 34 merchants, unless they have been before publicly prohibited, shall be safe and secure, in going out of England, coming into England, staying in and travelling through England, as well by land as by water, to buy and to sell, without any unjust exactions, according to ancient and right customs, except in time of war; and if they belong to a country at war with us; and if such are found in our territories at the beginning of a war, let them be apprehended without injury of their bodies or goods, until it be known to us, or to our chief justiciary, how the merchants of our country are treated who are found then in the country at war with us; and if ours are not molested there,  
 35 the other shall not be molested in our dominions. — If any one holdeth of any escheat, as of the honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats, which are in our hands, and are baronies, and he shall die, his heir shall not pay any other relief, or do any other service to us, than he would have done to the baron, if the lands had been in the hands of the baron; and we shall hold it in the same man-

ner that the baron held it. — Men who reside without a forest, shall not, for the future, come before our justices of the forest, on a common summons, unless they be parties in a plea, or sureties for some person or persons attached for the forest. — All barons who have founded abbies, of which they have charters from the kings of England, or ancient tenures, shall have the custody of them when they are vacant, as of right they ought to have, and as it is declared above. — All forests which were made in the time of king John, our father, shall be immediately disforested: the same shall be done with rivers which were appropriated by the same king John in his time. — No man shall be apprehended on the appeal of a woman for the murder of any other than her husband. — If king John, our father, disseised or dispossessed any Welshmen of their lands, liberties, or other things, without a lawful trial by their peers, in England or in Wales, let them be immediately restored to them; and if any dispute shall arise about it, then let it be determined in the marches, by the judgment of their peers, if the tenement be in England, according to the law of England; if in Wales, according to the law of Wales; if in the marches, according to the law of the marches. The Welsh shall do the same to us and our subjects. — All the above customs and liberties which we have granted in our kingdom, to be warranted by us to our people, shall be observed by all our subjects, both clergy and laity, towards those that hold of them. — But because some chapters contained in the former charter, seemed of great importance, and of a doubtful nature, viz. of the manner of assessing scutages and aids, — of the debts of the Jews and others, — of the liberty of going out of the kingdom and returning into it, — of forests and foresters, warrens and warreners, — of the customs of counties, — of rivers and their keepers, it seemed good to the aforesaid prelates and nobles, that these should be suspended till further deliberation be had, and then we shall do, in the most ample manner, concerning these, and all other things which may occur to be amended, what may tend to the common benefit of all, and to the peace and prosperity of us and our kingdom. But because we have not yet a great seal of our own, we have commanded this present charter to be sealed with the seals of our venerable father lord Gualo cardinal presbyter, by the title of St. Martin, and legate of the Apostolic see, and of William Marischal earl of Pembroke, governor of us and of our kingdom, all the before named, and many others, being witnesses. Given by the hands of the aforesaid lord legate and William Marischal earl of Pembroke, at Bristol, the twelfth day of November, in the first year of our reign.

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## N U M B E R III.

No. III. Provisions, &c. at the Installation-feast of  
 Ralph de Borne, abbot of St. Austin's abbey,  
 Canterbury, with their prices, A. D. 1309 (a).

Wheat, 53 loads, price	-	£ 19 0 0
Malt, 58 loads	-	17 10 0
Wine, 11 tuns	-	24 0 0
Oats, 20 loads	-	4 0 0
Spices	-	28 0 0
Wax, 300 pounds	-	8 0 0
Almonds, 500 pounds	-	3 18 0
Carcasses of beef, 30	-	27 0 0
Hogs, 100	-	16 0 0
Sheep, 200	-	30 0 0
Geese, 1000	-	16 0 0
Capons and hens, 500	-	6 5 0
Chickens, 463	-	3 14 0
Pigs, 200	-	5 0 0
Swans, 34	-	7 0 0
Rabbits, 600	-	15 0 0
Shields of braun, 17	-	3 5 0
Partridges, mallards, bitterns, larks	-	18 0 0
Earthen pots, 1000	-	0 15 0
Salt, 9 loads	-	0 10 3
Cups, 1400, dishes and plates, 3300, besoms, &c.	-	8 4 0
Fish, cheefe, milk, garlic	-	2 10 0
Eggs, 9600	-	4 10 0
Saffron and pepper	-	1 14 0
Coals, casks, furnaces	-	2 8 0
Making tables, trestles, dressers	-	1 14 0
Canvas, 300 ells	-	4 0 0
To cooks and their boys	-	6 0 0
To minstrels	-	3 10 0

(a) Chron. T. Thorn, col. 2010.

N U M-



## N U M B E R   I V .

A Charter of Henry III. A. D. 1258, in the No. IV.;  
vulgar English of that time, with a literal  
translation interlined.

HENRY, thurg Godes fultome, king on Engleneloande,  
*Henry, through God's support, king of England,*

lhoauerd on Yrloand, duk on Normand, on Acquitain;  
*lord of Ireland, duke of Normandy, of Acquitain,*

eorl on Anjou, fend I greting, to alle hife holde, ilærde  
*earl of Anjou, sends greeting, to all his subjects, learned*

and ilewede (a) on Huntindonn-schiere. Thæt witen ge  
*and unlearned (a) of Huntington-shire. This know ye*

wel alle, thæt we willen and unnen, thæt ure rædesmen alle  
*well all, that we will and grant, what our counsellors all*

other the moare del of heom, thæt beoth jchosen thurg us and  
*or the more part of them, that be chosen through us and*

thurg thæt loandes-folk on ure kuneriche, habbith idon, and  
*through the land-folk of our kingdom, have done, and*

schullen don, in the worthnes of God, and ure treowthe, for  
*shall do, to the honour of God, and our allegiance, for*

the freme of the loande, thurg the besigte of than  
*the good of the land, through the determination of those*

toforen iseide rædesmen, beo stedefæst and ilestinde in alle  
*before said counsellors, be steadfast and permanent in all*

thinge abutan ænde, and the heaten alle ure treowe, in the  
*things without end, and we enjoin all our lieges, by the*

(a) Clergy and laity.

N. IV.

treowthe thet heo us ogeu, thet heo stede-festliche healden and  
*allegiance that they us owe, that they stedfastly*

healden and werin to healden and to swerien the  
*hold and swear to hold and to maintain the*

isefneces thet beon makede and beo to makien, thurg  
*ceremonies that be made and be to be made, through*

than to foren isefde radefmen, other thurg the moare  
*the before said counsellors, or through the more*

del of heom alswo, also hit is beforese isefde. And thet  
*part of them also, as it is before said. And that*

ælc other helpe thet for to done bitham ilche other, aganes alle  
*each other help that for to do by them each other, against all*

men, in alle thet heo ogt for to done, and to soangen. And  
*men, in all that they ought for to do, and to promote. And*

noan ne of mine londe, ne of egetewher, thurg this besigte,  
*none either of my land, nor of elsewhere, through this business,*

muge beon ilc other iwerfed on oniewise. And gif oni  
*may be impeded or damaged in any way. And if any man*

ether onie cumen her ongenes, we willen and heaten, that  
*or any woman cometh them against, we will and enjoin, that*

alle ure treowe heom healden deadlichistan. And for that we  
*all our lieges them hold deadly foes. And for that we*

willen thet this beo stedfast and lestinde, we senden gew this  
*will that this be steadfast and lasting, we send you this*

writ open, isinde with ure seal, to halden amanges gew ine hord.  
*writ open, sealed with our seal, to keep amongst you in store.*

Witness us-selven æt Lundanthane, egteten the day on the  
*Witness myself at London, the eighteenth day of the*

monthie of October, in the two and fowertigthe geare of ure  
*month of October, in the two and fortieth year of our*

cruning.

cruning.















